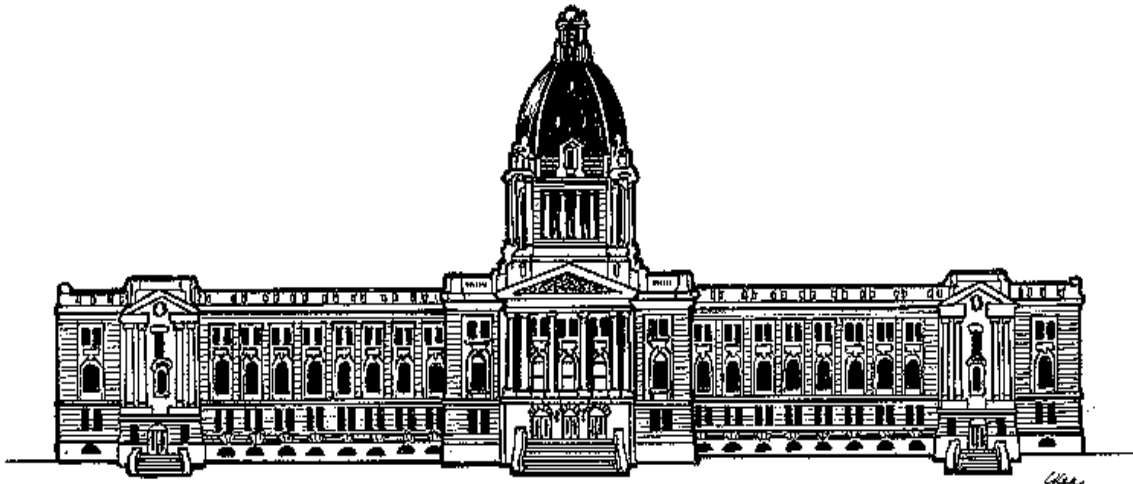




SPECIAL COMMITTEE ON TRAFFIC SAFETY

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SPECIAL COMMITTEE ON TRAFFIC SAFETY

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[The committee met at 09:00.]

The Chair: — Good morning, everybody. Welcome back to the second day of the all-party Traffic Safety Committee hearings. Before we begin this morning, I want to table a document, TSC 30/27, a written submission from Kathy Bellamy. So that's done now.

Just before we begin, again just a preamble to the witness. We'll be having questions, of course, and answers after you give us your presentation, sir. Members are also reminded again not to debate with the witness, and witnesses cannot ask us questions. So on that point, Mr. Murie, we'll have you introduce yourself, and you'll begin please.

Presenter: Mothers Against Drunk Driving Canada

Mr. Murie: — Okay. Good morning, everyone. Thanks for the opportunity. As you know, MADD [Mothers Against Drunk Driving] Canada has been around as an organization in Canada since 1990. And I have been the CEO [chief executive officer] since 1997. And so I represent an organization of about 5,000 members, and we have about 110 affiliates from coast to coast.

So what I hope to do today is share with you the Canadian experience, the American experience, the international experience, to give you a wide variety of choices when it comes to the issue of impaired driving in the province of Saskatchewan. So I'm going to give you the latest data that's available nationally. I'm going to give you the latest results that provinces are experiencing, and also other jurisdictions from beyond that.

So what I'll try to do is, I've broken this down into three parts. The first part deals with what the province can do. The second part is, here's some good community-based programs that have been effective in Canada. And the third part, which you can't forget, is when you deal with the issue of impaired driving, the federal government plays a significant role, and there's certain things that the province cannot do that need to be done within the bailiwick of the Criminal Code.

And so I always feel the provinces should have a priority list when they're dealing with the provinces, so at the federal-provincial meetings that you can express these are major concerns as well. And we need your help to do that. So that's at the end part of the presentation. If I don't get to that, that's fine, within my allotted time. But I wanted to make sure you had the background information.

Also just by way of introduction, if you need any more, we're a massive source of data. We have all kinds of research, all kinds of data, so if you're missing a piece as you go through your hearings, you know, reach out to us. We'd be glad to provide. So I'm going to quickly go through this in the next 15 minutes and then have an opportunity to have a conversation with you after that.

So when you look at alcohol consumption in Saskatchewan, you're not one of the highest provinces. And in fact, you're one of the lowest provinces. So the actual consumption part is not a major issue when it comes to Saskatchewan.

Here's what happens when you drink. And so we commonly use these two pound figures — you know, 200-pound male, 140-pound female — which generally represent the majority of the population, or at least they can identify with this. And what I'm trying to show here is that at the .05 level we're not trying . . . And you know, everything that we do talks about .05 and above.

And we're not targeting social drinkers. So if you look at those levels, nobody would consider, you know, four drinks in two hours on an empty stomach as somebody you'd probably want to kind of raise an eyebrow to. But those are not people that we're targeting with the sanctions that we're talking about. So a lot of times you'll hear the hospitality industry come up and say, you're going to destroy our industry. I don't think so.

Here's what happens on coordination. So as you can see here, as low as .02 the person's skills to operate a motor vehicle start to come impaired. So long before we suggest sanctions occur at .05, you know, already there's impairment things occurring within the body and the ability to operate a motor vehicle.

When you look at the public — this is American data; I'll show you Canadian data in a minute — the vast majority of people, if they're on the road, drive below the .05 level, so 77 per cent. Then there's this myth out there that anybody that's in an impaired driving crash is driving twice the legal limit. In fact, that's not true. There's people that, you know, drive between .05 and .08, and that's about 12 per cent. And there's people, 11 per cent, of .08 and above. So when I talk about this, this is an important slide because your strategies cannot focus just on one group. They need to focus across the board, you know, above that social drinking threshold.

There's the Canadian data. So if you simply, you know, took these things and applied by 10 per cent because we're not dealing with just drinking drivers here. We're dealing with all drivers. The percentage numbers for British Columbia in a recent survey study are about the same, so again, consistent data. The interesting thing here, as you can see, the big thing when you're young, you're a new driver, you're an inexperienced drinker. So your relative risk of being in a crash even at low blood alcohol levels is extraordinary. So as you can see, if they get double the legal limit, they're 500 times more likely to be in a fatal crash than somebody that's 35-plus. So what it again proves, this data, just you know, when we talk about young drivers, you need to have a different strategy for them because they're very distinct and different. And the risk level is very distinct and different from adult drivers.

So when you look at, again this is another slide just to kind of show the various blood alcohol levels of who dies on the roadway. And again you'll hear comments out there that people that are double the legal limit, that you can affect them. In fact if you look at, going back, on that slide and you look at 1995 for drivers .15 and above, and look at the latest numbers in 2010, the greatest decrease has come in those people that are double the legal limit. So all the strategies that we've done over the last 15 years have worked, especially worked on that group there. So they're not invulnerable to the strategies, especially the ones that go across the board that affect the whole population.

Now what's happening in Canada, road crashes are going down, deaths, but the impaired are not going as fast as the number of total road deaths. So we have a specific problem in Canada. We need to deal . . . And as you can see between 2009-2010, the numbers went up slightly. And that's why you see the high percentages there to the right, is as the road deaths are going down, the percentage of impaired drivers on the roadway is actually going up.

As you can see, you know, some of the numbers, I'm going to try to show things where Saskatchewan is doing well, but there's certain numbers which I just cannot hide. This one is the latest one, and you are by far the worst province when it comes to impaired driving deaths per 100,000. It is the fairest way to look at the actual numbers measured by population, and you're well over three times the Canadian number. So this is the most startling number I will give you today to show something needs to be done.

And you know, the sad part is if you look at your record over the last 11 years, you actually have more deaths in 2010 than you did in 2000. And again you have high percentages, so somebody will say, oh well that 2010 number's just a one-off. It's not. You consistently have had this problem for the last 11 years. You're consistently at least two and a half times, sometimes three times the Canadian average. So you have an 11-year history there. And again, I'm not laying fault here. I'm just kind of saying these are what the numbers tell us. And you know, when we do the 10-year comparative data, you know, the national data, the deaths have gone down 19 per cent, even though we're struggling with it. Saskatchewan has gone up slightly over that period of time.

What I did in these slides here is, you know, because the data gets kind of small on the charts, I just took the Prairie provinces, British Columbia, and Ontario. I took Ontario because it tends to be, if you look at all the indicators, tends to be the best performing province. So I wanted to show you that plus the other Prairie provinces.

So when you look at this, this is the number of actual charges laid, both at the warn range, so when you suspend somebody's licence in Saskatchewan for 24 hours, and when you lay a Criminal Code charge. And as you can see, you know, overall between 2010 and 2011 the actual number of charges, you know, whether it's provincial under *The Highway Traffic Act* or criminal, actually went down by 4 per cent. And I mean, there was some negative trending in 2011 which Saskatchewan was part of it, where enforcement numbers were going down. It's quite ironic. At the same time enforcement numbers are going down, the number of deaths was going up.

This year though, in Saskatchewan's favour — and what we do here is we look at the total number of charges, whether it be provincially or federally, look at your population — you have a better chance anywhere of being charged with an impaired offence in Saskatchewan than in any other province. So your police enforcement, with their numbers, are out there doing a more than adequate job when it comes to enforcing the rules that are out there.

So if I had to wave a magic wand in this room today and say, if you did these four things you'd be a better province when it

comes to impaired driving, these are the four things. And I'm just going to go and itemize these things and give you some, you know, facts behind them.

So the zero BAC [blood alcohol content] to 21 and under, the seven-day administrative licence suspension and vehicle impoundment at the 05 level, this replaces what you have at 24 hours now. Mandatory alcohol interlocks and, you know, even though the federal government needs to do a lot on drug-impaired driving, there's certain things that you can do within *The Highway Traffic Act* awaiting the federal government to work on those things. So I'll quickly go through these things.

Young drivers between 15 and 24, 50 per cent are in alcohol-related crashes. They're more likely to die than any other group there. What we know about this, when you put the zero BACs in effect, there was a 25 per cent reduction in Ontario. The best practices out there are Ontario and Quebec which go 22 and under, so they go beyond what our recommendation is. And there's science and there's evidence to back this right up to 25. It's just a question of how far you want to push this envelope.

And here's how you compared to other provinces, and it's not great. You know, if you look at the best provinces, you know, they've moved ahead and extended their age where minimum drinking and driving can occur. And as you can see, Saskatchewan is seventeen and a half, but you have a legal drinking age of 19. And so your people are going through your graduate licensing program. There's nothing wrong with it. They're just going through it way too fast, and you're exposing them. And so any time you have that combination where you're out of graduate licensing below the legal drinking age, it's a lethal, you know, weapon for our young people. They're inexperienced drivers. They shouldn't have any alcohol. You're allowing them legally to drink. And you know, it's going to lead to a lot of tragedies. This is a thing that you can do that would have immediate results in driving those stats down.

Administrative license sanctions, again I've showed you the charts. I've showed you where it occurs — .05 is a reasonable level. Here's what happened in BC [British Columbia]. In 2010 they put a three-day suspension at .05 and took the vehicle away for three days. Fifty per cent reduction in deaths, two years running. We've never seen these types of results anywhere, not only in Canada but worldwide.

My understanding is the Alberta numbers aren't out officially. They've done the same thing. They've experienced a 40 per cent reduction in deaths. The trigger here, because Ontario experienced an 18 per cent, it's the vehicle impoundment. You take the car away; it'll change people's behaviour. You don't even have to do it that often. The threat of it makes the people change behaviours, and it's short term. So it does impact the person but it's not so long term that it affects family, affects their employment, but it's enough of a wake-up call to change behaviours. It'll also make them change behaviours.

So here's how Saskatchewan fits in now. And as you can see, you're kind of on the later scale. You're well below the bottle that the Canadian Council of Motor Transport Administrators expect you to be at. That's something the provinces' agreed to.

So again, you know, use this type of information as a model for consideration.

Mandatory interlocks, it's basically, you know, for those people who have been convicted of impaired driving; it's basically a breathalyzer in their car. You have a voluntary program here now. But it basically, you know, separates people from their drinking and driving. And once it's removed, it still has effects. So it's a positive one on the car, and it still has positive results when removed from the vehicle. Again the voluntary program, you don't get a lot of pickup on this. You should either have it mandatory or based on assessment. Most of the people based on assessment go into the program anyway.

[09:15]

Here's your numbers. And again over a five-year period, you don't see a great change, where if you look at those programs like Ontario that moved to a mandatory — 200-plus per cent increase. You know, BC went mandatory with its administration program. You see the growth. They've gone from 200 to 7,000. And again this is a very good device. And for those people that are alcohol-addicted, they can't get off this device, and that's a good thing because you want to register a motor vehicle's ability . . . If they can't show that they can, you know, control their consumption, this interlock should remain on their vehicle.

And what I'm suggesting for drug-impaired, you have 24 hours now for a failure of standard field sobriety test. As provinces are moving forward to this, as you can see, Newfoundland, PEI [Prince Edward Island], they have the same criteria that you have for a failed standard field sobriety test, but they've now moved it up to seven days. They're brand new programs. But that's where people are going with this, just like they did the suspensions for alcohol.

I'm just going to take a couple more minutes and talk about two other quick programs here. The 911, you have this program. It works. It's amazing what it does. You know, here's some of the results that you've had with the program. And we've been a partner with this program with Saskatchewan Liquor and with SGI [Saskatchewan Government Insurance].

Here's the one piece I don't think you're doing — I don't think anybody's really doing well with this program — is that when you get the data . . . So about 50 per cent of the vehicles are never intercepted by police, but they get enough information to know who the vehicle owner is. What happens is those people are reoccurring, 25 per cent of them, again within 30 days in another 911 call. And when we did the data penetration and looked at people that had been multiply reported and looked at the deaths and injuries, 40 per cent of those vehicles reported ended up in a fatal crash or an injury crash. So the worst drivers are telling you who they are, and the police are not using that data. So this is not a legislative but it's being smarter with the data. So for a part-time analyst to kind of trigger who the worst drivers are in the community . . . You already have the program. You already have the information. Use it to its full extent.

Last drink program. This is a program that started in Ontario with the co-operations of the chiefs of police. And I know there's been some discussions in Saskatchewan with this

program as well. But the interesting thing is it was shocking how many people were coming from licensed establishments that were being charged with impaired driving or a provincial offence. So it, you know, it was 59, 63 per cent. And what is happening is, you know, just because somebody is being charged, they basically have violated their conditions under liquor licence Act because they served somebody beyond the point of impairment and let them on the road.

This is a great program for police to work in partnership with the community, with Saskatchewan Liquor to follow up with those licensed establishments. And when you get into the data, you find it's not every licensed establishment. Like in Ontario, four bars were responsible for 50 per cent of the arrests in that area, so you target those four people. You educate them and say, you're putting a lot of impaired drivers on the roadway. We need to talk. We need to make sure your servers are doing the right things, etc., like that. So it's an excellent program. And again to work with them first on education, and if they don't reform, you know, taking other things that are available under the liquor licence Act.

So I've gone beyond my 15 minutes now. I don't know if you want me to go into the federal things.

The Chair: — Please. Yes, we have lots of time, Andrew. Please.

Mr. Murie: — Okay. All right.

The Chair: — This is good stuff.

Mr. Murie: — I just want to be respectful of the rules and that. Okay. So I'll go into these. So again this is, you know, again I know you're exploring this. This is an excellent program. Again it doesn't require legislation but this just makes your police more effective.

Okay. Change is needed at the criminal level. So the big one is what we need . . . There's three. There's per se levels for drugs, because our current system of standard field sobriety testing and drug recognition evaluation's not working; random breath testing; and improved collection of BAC evidence from impaired drivers going to hospitals. So let's go through these.

Drug-impaired driving has been around since 1925. In 2008 the Criminal Code was amended to give police the authority to demand a physical coordination test. They call that the standard field sobriety test.

So just a quick . . . what a standard field sobriety test is. It's a three-step test that's done at roadside. It's used for both alcohol and drugs. And if you fail it, they can make a demand for an Intoxilyzer result for alcohol or a drug recognition evaluation by a DRE [drug recognition evaluation]. So that's what it's used for. And DRE is a 12-step test that trained experts use to try to figure out what drug the person's impaired by, followed up by a sample to confirm the results of a DRE. Okay?

You know, to be fair, 2008, this was what we had and MADD Canada supported this at the time. So what's happened is it's cumbersome. There's now been legal challenges to it in the courts which haven't gone well. The courts are basically saying

they don't believe the evidence of the DRE. And it costs \$17,000 per officer to be trained. And we've trained 1,000; 400 are still active in Canada. So we're constantly going through . . . This is a very expensive training cost for police.

This was the case. It actually was a Saskatchewan case. You had a judge here that basically said, I had no doubt the officer's evidence that the person, you know, used marijuana. There was the presence of marijuana. But the DRE did not actually prove that the person was impaired at time of driving, which is a killer to this whole process.

So it basically means, as defence bar gets smart on this, anybody that police bring forward on a drug-impaired, it won't go through. They'll lose the case. And so there's been good case law. And in fact that was one of the criticisms of the DRE when it came in 2008. We weren't sure if the courts were going to accept it as impairment at time of driving. There's no doubt the person's on a drug. We just can't prove they're impaired at the time of driving.

So there's new ways to detect impaired drivers. It's basically instead of doing, you know, DRE, you can do per se. So just to give you a context of how it's not working, in all of Canada in 2010, police across the country laid 65,000 alcohol-related charges, 915 drug charges. But if you look at the roadside evidence, they'll tell you there's just as many drug-impaired drivers on the roadway as there is alcohol. And it just shows that . . . Again this is not a criticism of the police or the system. We're just caught in a bit of a vortex here that this system isn't working. We need to move to a different system. And right now though basically it needs to be a priority for the federal government.

So if you look at Saskatchewan, all your trained officers on DRE, I'm not sure of the exact number, but this is the number of arrests that they've laid in the past three years. Not a sparkling, you know, result — remember I showed that there was 7,000 alcohol charges laid in the province — 57 drug charges.

So we need to go to these per se. Europe and England and Australia are moving rapidly. They have things that are going. Norway has now approved a whole set of per se limits. England's about to do the same thing. So it's moving quick. And this stuff will be all constitutionally valid because if you follow the same procedures, the three-step process we use for alcohol, drugs will be used in the same way.

So what would basically happen in the new process is, you know, the officer thinks that you're impaired; they'd ask you to perform a saliva test at roadside. That saliva test would come back and show that you're impaired by one of the six major drugs. They would make a demand like they make for the Intoxilyzer. You'd give another saliva test which would then be sent to a lab for an examination so it could tell you what your per se level was at time of driving. So much, much better system, much more like the alcohol system we use now in Canada. So it would restore the ability for police to apprehend drug-impaired drivers. And I mean I could do an hour on drugs, so I'm going over this at a very, very high level.

Random breath testing. It would immediately result in a 20 per

cent reduction. With police, because they have to get the reasonable suspicion, they miss 50 per cent of people at .08. They miss 90 per cent at .05. This was actually recommended by a federal justice committee, and it's been with the federal Justice minister since 2009. Very frustrating. This would save an incredible amount of lives.

As you can see, this is the experience. Ireland was the last country to adopt RBT [random breath testing]. And two really good things that happened: in this chart as you can see on the light-coloured line there, the light grey line, that shows you the number of charges. So they've gone from 19,000 charges when the legislation came in to slightly around 9,000. So the number of charges has been reduced by 50 per cent in five years. So it's not the fact that you actually charge; it's the fact that people know that officers can test you, that they don't have to do that reasonable suspicion. And it changes behaviours immensely.

The other, you know, significant part too, which is why we're here today, there's been a 50 per cent reduction in deaths since RBT was brought into Ireland. And you know, the Irish, they have a culture of alcohol, you know, but their hospitality industry has not been affected. What's happened is people have changed their behaviours when it comes to consuming alcohol and getting behind the wheel of a car, which is what we want to achieve here. So it's a very effective strategy. You can't do this without a Criminal Code change.

Blood test scene, this is the saddest one of all. And again it used to be, you know, up to a couple of years ago, if an impaired driver got into an ambulance or with paramedics and they smelled alcohol, they get to the hospital and they say to the doctor, I think this guy's impaired or this lady's impaired; you should tell police so they can get a warrant. So the police would go. They'd get a judicial warrant. They'd make a demand. They'd get the blood sample. They could use it as evidence in the court.

Now — and again it's not a bad thing — with all the privacy laws that have come into place that doctors have to abide to, the paramedics, the doctors can no longer inform the police that the person's impaired. And you know what? That's right. People should have the rights to privacy and all of those things. I have no problems with that. But it's actually killed the system to get the warrants. So once the person has left the scene and the officer has lost the ability to determine reasonable suspicion, these people get to hospital; they never get charged. Ninety per cent of people that get to our trauma hospitals, our emergency rooms, that are legally impaired never get charged with impaired driving.

We've created a loophole that must be . . . So what we need is where there's a crash, where there's a death or serious injury, there's mandatory testing. So again it obligates the doctor to provide that evidence to the court. And this person, you know, if there's a crash and there's no evidence, you know, the sample come back . . . But it takes away. The people that kill the most, injure the most are walking away from any kind of punishment for their crime. It's just wrong. This one is the worst one of it, and it's easily resolved as well.

Again this was recommended in the committee report of 2009. It's in there. There's not a lot of changes, and it would restore,

you know, the accountability within the system. So that's my overview.

[09:30]

The Chair: — Great. Thank you, sir. I appreciate that. I guess on that last point, I should . . . You and I have talked already. You know I was a police officer. In Saskatchewan actually, we have an interesting window of opportunity. If a person is deemed to be impaired or suspected of being impaired in an accident but does get transported to the hospital, the officers have to submit, have to put another member in the ambulance with him for chain of custody. Then that person can have a demand made at the hospital with a blood kit. Doctors aren't crazy about doing it, I know, but they do do it.

But we have a two hour window. So if the person's only unable to provide a sample by breath because of damage to the mouth or face, it's allowed. But if the person gets released by the doctor in two hours and ten minutes, the officers lose the chance to actually do a breath test. So it's an interesting dilemma we have in Saskatchewan as well. But we do have a blood demand package. We can do it in Saskatchewan, so we're allowed that way.

Mr. Murie: — It should be a lot easier than that.

The Chair: — Yes. It should be a lot easier, yes. I think that this again is a federal issue with the whole issue of search and seizure and the whole Charter argument. But thank you for that. I guess we'll open the floor to questions. Mr. Parent's got the first one.

Mr. Parent: — All those charts and everything you had, I've been on your site trying to find that. And I can't find it.

Mr. Murie: — Oh, I provided to the Clerk this full presentation.

Mr. Parent: — All right. Thank you.

The Chair: — Anyone else, questions? Ms. Chartier.

Ms. Chartier: — Thank you very much for your presentation. It's very, very informative. Just a couple things. I know we had the opportunity to chat a few months ago, and you talked a little bit about the BC experience and some of the kinks. I know maybe some of my colleagues have read that BC, I think a couple months ago, there was a news story about some of the problems that had happened with the mandatory interlocks. But I know, having spoken to you, you felt like those issues had been worked out.

So I'm wondering if you could talk a little bit about BC's experience and the changes you did mention, some of their changes here, but put that in perspective for us.

Mr. Murie: — Yes, the situation in BC. We like have a history of recommending, you know, in our rating, the province's report card. So since 2000, we've often said to BC, do not do your legislative changes under the power of the superintendent. Do it within the legislative mandate of the legislature. So enshrine it in law so if they're challenged, you're more

Charter-proof and you're more . . . proof of any challenges to your administrative sanctions.

So British Columbia, despite good advice, put all their legislative changes for their recent impaired driving in 2010 under the power of the superintendent. So simply said, the superintendent shall determine, so they would determine the levels when the police did their job, etc., like that. So what it did was, it opened up to court challenges, and they've had just challenge after challenge. And it's actually, despite all those things, they've had amazing results. It would have been interesting to see if they had done it properly in the legal framework, they would have missed all those challenges.

So we use BC as, say, you know, here's a way they've done really good things. Use them as a model, but don't implement it the same way they did it. Because people should, you know, people should have the right to challenge things, and it should be clearly spelled out. And you know, and if they're not guilty of something, they should have that opportunity. And BC just, you know, bypassed all this. I think they were in such a hurry to do it too, and sometimes good legislation shouldn't be hurried.

Ms. Chartier: — They have amended and made some of those changes though, have they not?

Mr. Murie: — Yes. So right now people can appeal things which they should have had there. So for example, one of the things that they did which made their structure strong, so when they were giving an impoundment, the person at roadside had to fail two separate, they're called ASDs, approved screening devices, at the roadside. So they had to fail one. They had to bring another one in and fail that. So they could still appeal that, but at least it proved that any chances of them not being above that .05 were very slim and none.

And again the police have to prove records. I mean there was one story, which it shouldn't have come to the headlines it was, where one small police unit didn't calibrate their devices as per the manufacturer's, you know, instructions. Well you know what? I can't support police in that. You know, if you have machines and they're used to lay penalties on people, you've got to keep them updated. They've got to be calibrated. You've got to meet the manufacturer's specifications.

Ms. Chartier: — Thank you. I have several questions, but I'm sure my colleagues do as . . .

The Chair: — That's nice. Yes. I'll go back and forth maybe as opposed to just all of us having one mike. Mr. Steinley, go ahead.

Mr. Steinley: — I have a couple of questions on the interlock devices. Because I know as soon as government makes . . . mandates devices, people will figure out ways to get around them. And I've heard urban myths, if you will, of how people beat the interlock devices, whether it be they have sober friend blow into them so they can still drive or they have an air pump that they pump air into them. And they pass, and they can still drive. Are those some things you're hearing about how the interlock devices aren't working?

And just a supplement to that is, I like the idea of voluntary

because the people who are voluntarily getting the interlock devices are people that are more likely going to be the one-time infractions. They want to get back to work. They want to get their lives back on track. So that's why I think voluntary interlock devices isn't the worst thing in the world. So I guess I want to hear your comments on that.

Mr. Murie: — So the urban myths have always been out there, and one of the things that people don't know about the interlock device is you have to learn to hum and blow at the same time. So the first time, going back 16 years ago when I had to demonstrate one of these devices, it actually took me 45 minutes how to learn, how to properly hum and blow into the device. So all those urban myths about, you know, air pumps, friends, you can't do it. But it allows family members who might have to drive that same vehicle to learn that same technique. So technically there's no urban myths that people can get around the interlock device by using somebody, some other device, etc. like that.

In fact one of the more common stories, which is not an urban myth, is when the people first get the interlock put on the device, they call up the interlock company and say, the damn thing doesn't work. So they've been out drinking all night. They get up at 7 a. m. to go to work, and they still have an elevated BAC. There's nothing wrong with the interlock. It's the person has to change their behaviour, which again, it's the best device out there dealing with people with chronic or heavy alcohol problems.

Your number about the voluntary, I would strongly disagree with you because if you look at the data that I showed you, you had about 400 people signing up. But I think if my memory recalls, you have about 4,000 people you charged with impaired driving that have lost their licence for the year. So my question to you would be, what are those 3,600 people doing? We know from studies that people, when they lose their licence, continue to drive. So I would suspect what you're doing with the voluntary system is you're getting people out there driving without a licence, without insurance.

The Chair: — Thank you for that one. I do have another follow-up to Mr. Steinley's question. So you indicate you have to hum and provide the sample. So is the interlock then calibrated for a certain pitch level of your hum and my wife's hum and my daughter's hum? So it's just a hum that has to be performed at the same time?

Mr. Murie: — Yes, it's a technique to stop all the urban myths, to make the device almost unusable for anybody. It also stops . . . It has to be a deep lung sample, just like a breathalyzer is. And you know, so it's calibrated at .02, so it takes away any ability of mouth alcohol to be available. So you know, if you just mouth wash and you go and blow in your car . . . Because you know, a lot of mouthwashes have traces of alcohol; it's not enough to set off the calibration level.

The Chair: — Thank you. I guess another thing then before — sorry, now I'm kind of taking the mike and monopolizing — but on that point of the federal government and mandatory issues . . . I mean first of all, back up. Alberta is not mandatory. Correct?

Mr. Murie: — It is mandatory for interlocks, yes.

The Chair: — Okay. Thank you. Okay, great. And then if we look at the federal system, what is the current relationship? What are you hearing from Ottawa recently in your travels, in your lobbying efforts, about changing it to mandatory across Canada? Is there anything along those lines?

Mr. Murie: — Now actually what the lobby has been was . . . As you know, right now for what's in the Criminal Code is it's 90 days hard suspension for a first offence, 180 for a second offence, and 270 days for a third offence. The actual justice committee report and what we lobbied for was to have it removed totally from the Criminal Code, that we believe people should get on the alcohol interlock immediately. So if they have a one-year licence suspension, and the province thinks we're better having this person in the licensing system and immediately can begin to drive as long as the interlock's in the car, we're very supportive of that program. So we think the hard suspension is the best technique to teach these people how to drive suspended and not come back into the licensing system. So we'd like the feds to get out of the system.

I've heard the compromise has been 30 days, 60 days, 90 days. So they want to keep some hard suspension but dramatically reduce it, but that one hasn't been resolved yet. We're still saying, you know, let the provinces do it. They do a better job of these programs than you do with the Criminal Code.

The Chair: — Good point. Thank you. Ms. Chartier.

Ms. Chartier: — Thank you for that last piece. I know we had talked about that too. And that piece, I think, using the interlock as an opportunity for people, there are some jurisdictions that use it as a way to get people driving right away. And it's not so much a stick as here's how you learn how to drive responsibly with your interlock. So I know you've sent that message to me, and it seems to be the case in other jurisdictions.

But you had mentioned in our conversation of a few months ago how some jurisdictions haven't in your opinion — and you're someone who looks at cross-jurisdictional comparisons — there are some jurisdictions that haven't quite got mandatory interlocks right. And so in a perfect world, what would your mandatory interlock program look like?

Mr. Murie: — The problem with mandatory interlocks is mostly in those provinces that don't have government insurance. So your government insurance here is not an impediment, with high insurance costs, of going on the alcohol interlocks. So you have the structure here to have an amazing mandatory alcohol interlock program. You have one of the lowest surcharges for impaired drivers when it comes to insurance. And you know, there's always a line here, is there should be some penalties. But if it's draconian and you drive people out of the system, it's not very smart.

So what we want with interlocks is, this is an effective tool. It goes on the car as soon as possible. It stops suspended drivers. It stops people being injured by people that don't have insurance. And the other aspect, it comes a bit of a pool. For those people that perform really well, at the end of the year the interlock comes off. Those people that are showing the

registered tendencies that they'd be a risk to take off, you simply extend them. So the pool gets, you know, sort of two parts. One part come off, hopefully have learned their lesson. Another group that might have problems with alcohol, you still want them driving but you control how they drive — not alcohol impaired. So it's a very effective tool that way.

You have the third piece which is, you know, insurance that's reasonable, that's not going to drive people out of the system as well.

Ms. Chartier: — And who pays for the interlock program?

Mr. Murie: — Yes, the offender pays for it but it's relatively small. So if you used an example, in Saskatchewan it's about \$1,300 for a year to have the interlock on it. So if you look at that in a very different context, it's less than the cost of a drink a day. So if they have to change their drinking habits, you know, and drink less to use the interlock, the cost of alcohol . . . so it's relative there.

The problem in some provinces, you know, using Ontario, you go to a facility insurance, so your \$3,000 insurance premium becomes \$20,000. It becomes unaffordable. And so we have a problem where people don't come into the interlock even though they want to use it, in a mandatory system. They just can't afford the insurance.

Ms. Chartier: — I do have more questions, but I'll defer to others.

The Chair: — Mr. Vermette.

Mr. Vermette: — Thank you. And your presentation and I guess the information, the charts are very helpful. Now how did you get the information that you . . . Like you presented these charts and the graphs and the information. I'm just curious, how did you get the results to do it? Because you're making some pretty, I think I would say, serious recommendations on what you're seeing as an organization. So I'm just curious to see your process on getting that data.

Mr. Murie: — So the major data on deaths and injuries comes from the Canadian Council of Motor Transport Administrators, so it's a federal-provincial group. So Saskatchewan provides all their data to that group and they do a national report. So this is not our data; we take it from there. We do one formula change with it which we explain because that one does not deal with drugs. So we have a formula that we know from coroner reports, on a very conservative percentage, that our numbers have in it suspected drug-impaired drivers. And they're probably a lot lower than they should be, but we want to be conservative on those type of formulas.

And so then from that, we do things like the data I showed you on population. We simply take your population of that current year. And you know, that's a very common formula used in road safety and other traffic safety organizations as the best way, where you have a province like Ontario with 11 million people and a province like Saskatchewan is about 1 million people, how you can compare things, you know, on a population base. So that's a very common type of thing. So that's what we use it for.

We also, at our great expense, go into every highway traffic Act, motor vehicle Act, pull out all the impaired driving legislation, do all those comparison charts on things like graduated licensing, administrative licence programs, and all that. We do like it's about 90 pages of charts. We send that to each province and say, can you please sign off on this chart to make sure that our information, when we're talking about your province, is consistent with your latest legislative changes. And so we update those every six months.

We actually come . . . I'm not sure we should be, but we've become the provider for the provinces of everything that's going on in Canada. So what I did today was because I'm dealing . . . And you know, I'd be fair. I didn't show all the provinces, but from those charts, I could have. But you know, in some of the Maritime provinces the numbers are so small that they'll go like this, that I felt it was better to show you the Prairie provinces and then end booked it with Ontario and BC as a better comparative.

[09:45]

Mr. Vermette: — And of course at the end of the day for the committee, the mandate and I guess the process is to find ways to reduce fatalities in our province, and that's what we want to do. Having said that, if you were as an organization, I guess if they were to say, what would be the one thing that you think, if we were to implement it, would help save, you know, I guess in the worst case scenario a family from going through dealing with a fatality? Is there any recommendation you would make to say, this one? If we had to pick any of them, we'd say this one we really feel strongly could reduce the fatalities in the province, if I put you on the spot. But I'm just saying, your recommendation, if there is such an area you could go.

Mr. Murie: — Well the trouble is with one is that you're bypassing other groups. So as I said that when you look at impaired driving, you know, there's special groups within that. So there's youth, there's the general population, and those people that have alcohol problems. So if you look at those three, if you do the zero BAC, you'll save young people's lives. If you do vehicle impoundment, it'll affect everyone. If you use the alcohol interlock, you'll help addicted people.

So like, you know, you have to do it in threes. Every one of those will have an effect but those across the board would have amazing effects. And they target different groups. So if you put the alcohol interlocks, you might get a return of 8 to 10 per cent, but within the addicted people that percentage goes way up. But they're a very small group so your deaths won't go down by a lot.

With youth, because it's a third, it will have a significant result, around 18, 20 per cent. But if you do the impoundment, it affects the whole population. It affects all of those people. It could have like BC. Alberta's 40, BC's 50. So you know, that's the answer. I'm sorry I didn't pick one.

The Chair: — Ms. Chartier.

Ms. Chartier: — Thank you.

The Chair: — I'm mindful of time. We may have to just ask

the next presenters that I see in the room, if you don't mind waiting for a few minutes before you present, we'd like that, please. Thank you.

Ms. Chartier: — Thank you. With respect to the graduated licence program, obviously we have a big flaw with ours here in Saskatchewan around legal drinking age and people being younger than legal drinking age. But you talked about Ontario and Quebec. And Ontario's change is relatively new I believe in the . . . And what kinds of returns are they getting on the, quite stringent relative to the rest of Canada, what kinds of results are they seeing from that graduated licence program?

Mr. Murie: — So Ontario's about four years ago that they changed. And then it was about a year later they implemented it. So they gave a year to let young people know it was coming, which is really a good strategy. The second thing is, you know, with it is it changes the whole discourse with parents and young people. Because they knew it was zero. There was no doubt it was zero. So you saw young people making different types of plans. I don't know what I'm doing tonight, so I'm not going to drink till I figure out what I'm doing. And that's where the lives saved came in because it changed . . . Everybody knows what zero is, you know, so if you had a glass of wine, you know you're not driving that night. You make alternative plans. The parents are part of it, etc., like that.

I went through this. My children are 22 and 21. They went through that whole period in Ontario. As a parent, it was amazing because I didn't have to be . . . You know, we always had our rules, we had our things, but the fact is they knew the rules. They led. They provided the leadership, not us. Ontario experienced a 25 per cent reduction first year it was implemented in young people's death. It was an amazing result. We always figured it would be in the 15 to 25 per cent. They hit the 25 per cent. Large population, you know, had a big result. Quebec is showing similar signs. So Quebec was interesting.

Our recommendations are to 21 and under because the evidence is really clear. The evidence is clear for 21- to 25-year-olds, but you're talking about adults now. So Ontario went 22. Quebec had 25 and went to parliamentary committee and then backed off it last minute to 22. So that seems to be the new norm, the Ontario and Quebec.

Ms. Chartier: — Are there any problems . . . Are you seeing then that there is in fact a culture shift around alcohol and driving? Or are you seeing when people get off the graduated licence, is there any problem where all bets are off, or have they made that sort of internal shift that you don't drink and you don't drive?

Mr. Murie: — Well if you go back 20 years ago before we had graduate licensing, we were killing our 16- and 17-year-olds, or 15, depending on the province. And so what graduate licensing did was it saved those young people's lives because they put them in a controlled environment, protected them, supervisor drivers, zero BAC, etc., like that.

But what happened was when they started coming out, you know — and it ranged from 17- to 18-year-olds, depending on the province — all of a sudden we notice, who are we killing now? The 18-, 19-, 20-year-olds, is because of all those things I

said — inexperienced drinking, you know, inexperienced driving, no protection anymore — we were killing them.

And I showed you the relative risk of a young person being in a fatal crash is way up there compared to an adult. So we have to protect them. And so this system of the zero BAC protects those young people. And quite frankly, wouldn't it be great a decade from now if we have a culture of our young people that kind of say, when it comes to drinking, I don't drive because they've learned that through their first five or six years of having a licence.

The Chair: — If I can — sorry, Ms. Chartier — just on this point. I have two teenage daughters, and I'm very proud of them because they phone me many times in the middle of the night to pick them up and they didn't drive, and I think that this cultural change is happening now.

Can I ask though, we also saw on the chart that Alberta and British Columbia had their zero BAC level to the age of majority for legal drinking, which in Alberta was 18; BC was 19. So in that case, can I ask what's happened? I think BC was eighteen and a half before they got off their GDL [graduated driver's licensing]. Alberta was 18 though.

Mr. Murie: — Yes.

The Chair: — What are the stats showing for those young people post-GDL and BAC levels and for accidents related to death? Do you have that number?

Mr. Murie: — I didn't put it in my presentation. I have it for British Columbia. That power of the vehicle impoundment has overridden the zero BAC in BC. Because when we were looking at zero BAC for British Columbia and the fact that vehicles were being impounded affect the whole population. So even though young people were more vulnerable, the fact that they could lose . . . And the problem is with young people, it's their parents' car. So the fact is if that car ever got impounded, that would change the rules of that house so quickly when it came to vehicle use. So it actually oversurfed the zero BAC. So we kind of backed off it in BC because of their strong impoundment program.

Now Alberta, they didn't want to deal with young drivers when they did their sweeping changes. They left it on the table. But if you violate the graduate licensing program, they impound your vehicle. So they're starting to have good results. So if you wanted to do the ideal graduate licensing program, it should be a minimum of three years from driving age. So it should go 16 to 19. And if you violate it, especially the zero BAC, what we're seeing from Alberta and some other jurisdictions in Australia, the vehicle impoundment is again very powerful because it's not their car.

I still would say to you, the three of them in harmony together — three years GLP [graduated licensing program], vehicle impoundment as the teeth, and zero BAC up as high as you can go, that way, you know what, we've put an embryo around our young people. They're our most valuable commodity. Nothing's worse. I mean when I go to these vigils, you know, across the country it's countless young person after young person. The families are destroyed, you know. It's the safest

thing we can do.

The Chair: — Great. Thank you. Ms. Chartier, I see no more other questions from my members so feel free to have the floor.

Ms. Chartier: — Okay. Basically two more questions here. We talked a little about the RID [report impaired drivers] program today. And yesterday from SGI we heard about the RID program as well. And your take on it is . . . And I think you had even mentioned that we have a more of a chance in Saskatchewan of being intercepted than anywhere else. Or I don't know if the . . .

Mr. Murie: — Being arrested.

Ms. Chartier: — Being arrested.

Mr. Murie: — Or charged.

Ms. Chartier: — So what we heard around the RID data or RID program yesterday is that we have all these calls coming in and a very small number actually being intercepted. And I know you talked . . . So we talked yesterday a little bit about the need for more enforcement. But today you're talking about the opportunity to work with those who've been not intercepted but reported. So we're a slightly different take. Yesterday, more enforcement. Today there's an approach to stay involved or get involved with those who have been reported.

Mr. Murie: — Yes. Now I agree with SGI that, you know, if they can intercept more people, the program works better. So I totally agree with where they're coming from. What I'm saying is, there's not as great anywhere across the country, so it's not just Saskatchewan, that we now are seeing by a simple analyst, so somebody working, you know, six to eight hours a week on the file, going through those people that weren't intercepted and seeing how many more times they come up. And if all of a sudden you've got a driver — like in New Brunswick when they did this they had about 20 drivers that showed up in a six-month period between four and eight times in 911 calls. So it was an alert to that police enforcement to kind of say, where do they live, you know; we should be on the alert for that licence plate because the public are saying they're a danger. And so your most dangerous drivers, the police have that data; they're just not using it. So it's a further extension of what SGI was talking about yesterday.

Ms. Chartier: — And as well, did you say that people receive a warning letter then, in some places?

Mr. Murie: — Yes they do. And they do it here, which is good. But the fact is if you're a multiple offender you just start, you know, ignoring that letter after a while. So I think it's again it's targeting a very small group, but a very dangerous group.

Ms. Chartier: — Thank you. My last question is on the last drink program. And interestingly enough, we have the hospitality industry right after. But can you talk a little bit about other jurisdictions and the last drink program, how that works?

Mr. Murie: — Yes. What it basically does is . . . When we did the program, we were shocked at how many people were coming from licensed facilities. So if you look at where people

drink, most people drink alcohol at home and, you know, private situations. About 70 per cent is consumed at home, about 20 per cent is drunk in licensed establishments. So you would think the number of people being arrested for impaired driving would follow the data where alcohol is consumed. In fact, it didn't, so . . . With them representing about 60 per cent.

Now I've got to be really clear. It was a small percentage of licensed establishments that were responsible for the majority of those arrests. So it was a co-operative program between the alcohol and gaming commission and the chiefs of police in Ontario that worked with these licensed establishments. And a lot of times the management would not even be aware of what was happening.

For example, the first year the program was run, the Air Canada Centre was, you know, represented for a large number of arrests. The people would drink at the game. They'd get on the GO Train. They'd get in their car. They'd be back, and they'd still be impaired. And so Air Canada put in a whole program to deal with that, and the next year they were off the list. So responsible licensed establishments will respond to that outreach, and at the end of the day you have less impaired drivers on the roadway.

[10:00]

Ms. Chartier: — Forgive my ignorance of how it works then. So . . .

Mr. Murie: — So I pull you over. I'm a police officer and I say, where have you been drinking tonight? He'll say, I was at Joe's Bar. So I write Joe's Bar down. And at the end of the month, they look at their statistics and they look and see how many times Joe's Bar came up with the number of people they arrested, either for Criminal Code charges, a provincial licence suspension, or a young person violating their zero BAC. And if this particular place came up enough times, they would say, look. You know, during the last month, blah, blah, blah. We'd like to come in and meet with you and discuss strategies to change your serving techniques.

So it's not a sanction-based program. It's an education program. They try to get, you know, the bar to accept their responsibilities under the *Liquor Licence Act*, and it's worked really, really well. Responsible owners of a licensed establishment have no problems with programs like that.

Ms. Chartier: — Thank you for that and for all your patience with my questions.

The Chair: — Good questions. I want to thank the committee members for their questions today. This was actually a very good presentation. Thank you for this, Andrew. It was one of those kind of foundational presentations we had to have initially to get us kind of thinking, moving forward to recommendations. I want to thank you for your time here.

And we'll take a 10-minute recess and reconvene at 10 after 10 for the next committee.

Mr. Murie: — Thanks, everyone.

[The committee recessed for a period of time.]

The Chair: — Welcome back, everybody. Welcome back, everybody. My mike just went on. Thanks for the recess. And we are now going to have a presentation from Mr. Tom Mullin, the president and CEO of Saskatchewan Hotel and Hospitality Association, Chair of the SSIP, which is the Saskatchewan server intervention program. And we've got Diane Cohoon, manager of Saskatchewan Tourism Education Council for Tourism Saskatchewan.

Just to the witnesses, there'll be questions and answers after your presentation. We won't get into debate with you at all, and we're not supposed to. And we have a requirement that you can't ask us questions either. So it's been very positive so far. I can't see us breaking the rules any time soon. So the floor is yours, sir.

Presenter: Saskatchewan Server Intervention Program Committee

Mr. Mullin: — Thank you very much. It's a pleasure for Diane and I to be here and present before the committee this morning. The responsible service of alcohol requires the support of all stakeholders. Saskatchewan Health, SGI Canada, SLGA [Saskatchewan Liquor and Gaming Authority], the SHHA [Saskatchewan Hotel and Hospitality Association], and Labatt have all contributed to the development and delivery of the current program. Roughly 1,200 people per year have participated in the voluntary responsible service of alcohol program in Saskatchewan, first in classrooms only, then classrooms and online since 2007.

Traditionally 7 out of 10 young people find their first work experience in the tourism sector, many of them in the food and beverage industry. Participating in SIRS [Serve It Right Saskatchewan] is often the first opportunity that these new employees have to understand that the permittee and the employees of any permitted outlet have a duty of care when providing alcohol to customers. This information is not often provided to young people at any other time. They may think that the responsibility, if someone comes to harm, belongs only to the drinker.

SIRS is an affordable and available risk management tool for permittees. SIRS becomes part of a larger strategy to prevent harm. Although programs like MADD and SADD [Students Against Destructive Decisions] bring profile to developing strategies that the drinker will employ to prevent drinking and driving, SIRS provides a framework for servers to be aware of potential risk in their workplaces and empowers them to implement strategies that will keep their customers from harm.

SIRS also supports permittees, their staff, and other stakeholders with an awareness of other stakeholder tools. These tools include programs like the SLGA's social responsibility; please bring your ID [identification]; check 25; the FASD [fetal alcohol spectrum disorder] awareness; moderation is always in good taste; SLGA and SGI, the RID program; Saskatchewan Health programs; university binge drinking; look what else got wasted?

The goal of SIRS is to ensure the environment where liquor is

sold is safe so that customers do not harm themselves or others through unreasonable or inappropriate liquor sales practices or procedures. As participants work through the program, they learn what alcohol is, how it affects individuals, and how to recognize signs of intoxication and minors. Participants learn how to use this knowledge to keep themselves, their customers, and the public safe from liquor-related incidents and how to do so while acting within the boundaries of the law. The next few slides describe the learning outcomes of SIRS.

Fulfilling duty of care in a liquor environment involves preventing foreseeable harm to customers who become intoxicated. By taking actions to meet duty of care for customers, liability may be avoided. Every person assumes some risk when serving liquor in a permitted premise. It is important for the server to understand liability and risks that can be attributed to them so that they can take appropriate action to protect against foreseeable harm and to avoid legal action against themselves and their employers.

[10:15]

A large part of serving liquor responsibly involves understanding of duty of care towards customers, knowledge of risks and liabilities associated with serving liquor, and knowledge of current legislation. In a broad sense, applying the knowledge and taking reasonable action to avoid foreseeable danger and complying with legislation are ways to protect first the public from harm, helping to prevent liability, and staff and permittees from penalties imposed by Saskatchewan legislation as a result of breaking the law.

How do you provide duty of care? All staff must be aware that the duty exists. To create this awareness, training is the first step. It is also important to understand providing due diligence. All permittees should have, as well as the materials provided by SLGA, house policies, internal procedures for service, and ways to ensure that everyone is complying with the policies and procedures.

Insurance companies provide a framework for good risk management. These are things that permittees should understand and have in place — things like statement of risk, policy, standards, controls, inspection procedures, reporting procedures, maintenance and repair, emergency response procedures, education procedures, a risk control team, records control, compliance enforcement, strategic audits, and management review. SIRS forms part of the education procedure of a good risk management strategy.

Legislation within the alcohol and gaming regulation that staff permittees must comply with includes, but is not limited to: minors must not be served, must demand proof of age, must not sell or serve alcohol to a patron who is or appears to be intoxicated, must not sell illegal or unauthorized beverage alcohol. There are penalties attached to not complying with legislation: illegal activities, fines from \$500 to 10,000; selling to a minor, fines of \$1,000 to \$10,000; and selling liquor to a person who appears intoxicated, fines of \$1,000 to \$10,000.

It is important to know that equal amounts of pure alcohol in any type of beverage will produce the same results. And it is the amount of pure alcohol that matters when tracking liquor

consumption. A simple way to track consumption is to count the number of standard drinks a customer has consumed. With knowledge about the effects of alcohol in the body, everyone has a good basis to serve liquor responsibly.

Alcohol in any form of beverage is an intoxicant. Regardless of the type of alcohol beverage consumed, intoxication increases when the body absorbs pure alcohol faster than it can eliminate it. The definition of intoxication is one drop of alcohol for 1,200 drops of blood.

It should be noted that individuals can be impaired by alcohol without displaying any outward signs. Impairment is not simply the appearance of gross physical symptoms but it is also a deterioration of judgment, attention, loss of fine co-ordination and control with a possible increase in reaction time and a diminishing of sensory perception.

Intoxication is an advanced state of impairment in which the gross physical symptoms of the effects of alcohol are apparent. The point at which “impairment” becomes “intoxication” is unique to the subject and depends on tolerance.

And that is a quote from a criminal lawyer, Ron Jourard.

Evaluating a customer’s sobriety is an important function in serving liquor responsibly. In addition to watching for obvious signs of intoxication, carefully monitoring the amount of alcohol consumed, the rate of consumption, and other factors that affect how the liquor is affecting the customer are strategies for preventing harm.

Teamwork requires or creates a positive work environment, but more importantly it is an important way to help identify and respond to problems in a professional manner. All information presented in this program is intended to support efforts to fulfill duty of care, comply with legislation, and provide a safe and enjoyable experience for customers.

Building rapport with customers allows permittees and their staff to gain valuable information about them. This information can help decisions about asking for identification, discontinuing or refusing service, or facing problems like shoplifting or illegal drug activity.

Working with team members, applying house policies, and following service techniques will help prevent customers from being intoxicated. SIRS uses tools from all stakeholders, the Saskatchewan driver’s licence as ideas and an example.

Despite reasonable service, customers may become intoxicated or may arrive at a permitted premise as intoxicated. The responsibility of permittees and their staff is to handle these situations in a professional manner and in a way that reduces risk of foreseeable harm to the intoxicated customer and anyone who comes in contact with him or her. It is important to know how and when to use an incident log and identify other pertinent forms of items to keep as they may someday serve to lessen or eliminate involvement in a lawsuit.

Although customers should take responsibility for their own actions, a legal duty of care exists to reduce the risk of

foreseeable harm to intoxicated persons. One way to reduce the risk of danger is to ensure that intoxicated persons do not drive and that they have safe, alternate transportation. To avoid breaking the law or potentially being involved in a lawsuit, ensure if or when customers are intoxicated that liquor service is discontinued or the retail sale is refused. If a customer must be removed from a premises, only use reasonable force. Using unnecessary force could leave the permittee or staff member open to assault charges and/or a lawsuit.

Liquor-related problems may arise that require intervention, with the assistance of co-workers and other authorities such as the police. It is important to develop policies that ensure the avoidance of foreseeable harm to everyone and to comply with the law. Permittees and their staff have a responsibility to be aware of and report potential illegal drug activities. This is a natural extension of observing customers for liquor-related problems or to deliver excellent customer service. As with identifying illegal drug activity, preventing shoplifting can be a natural extension of great observation, as we have many permittees with retail sales.

That was a brief outline of the SIRS program, and Diane and I are available for any questions from the committee.

The Chair: — Thank you very much for that and for keeping the timelines. Very informative. I guess we’ll open the floor to questions if anyone has one. I can go first for once, Ms. Chartier, I guess.

So I guess, Tom, I have a question for you and Diane, is that I want to commend your members because I’ll tell you what, I have anecdotally a story of my daughter who just turned 19 a few months ago. We’ve taken her out in Saskatoon for dinners and lunches and she wants to have a glass of wine or something with dinner or lunch. That’s fine. But your members always ask her for ID [identification] because she looks like she’s like 16 years old. So thank you for that. And she’s very proud to show her identification, so your members do a great job.

In the services though, I haven’t noticed — I haven’t been to a lot of establishments recently but in the past I have, in my younger days — is there an active campaign that your members take part in to display don’t drink and drive signage at the door, exiting the premise, and is there an active campaign in sponsorship with SLGA possibly or SGI to have, I guess, to post taxicab numbers, provide that kind of information for those individuals? And would the servers actually provide that to a table of individuals? I think of sports groups that overconsume sometimes. And you know what, just a reminder saying, you know what, you guys? You should think about this number and leave your vehicles in the parking lot. Do you have that kind of program in place?

Mr. Mullin: — Well we work in concert with SLGA on their check 25 program and we’re continually updating that. I can say that we represent liquor establishments in the province — off-sales, taverns, brew pubs, restaurants with gaming. And I think the nature of the business has changed somewhat, believe it or not, and especially out in the rural areas where, when the smoking bylaws came in, those numbers on on-table sales are still down about 25 per cent.

So then it becomes important as it . . . serving on-table and then of course the home consumption market. So the nature of the business is changing. But for the on-table sales, we do have, you know, the check ID decals on the doors. We really of course focus on the SIRS program for the staff, and I believe there's other, you know, there has been programs come and go — the designated driver program that was, you know, dominant in the '90s and 2000. However we've been focusing on the Serve It Right as the online program of choice.

The Chair: — Thank you. Ms. Chartier, you have a question now? And then we'll go to Mr. Steinley's next.

Ms. Chartier: — Yes. So SIRS is a voluntary program and started in 1990, I believe you said prior to the presentation here. Twelve hundred individuals on average go through that in a year. Is that correct? How many establishments would that represent?

Ms. Cohoon: — Okay. It's interesting, if we take a look at our . . . If you think about the number of establishments we have, there's a fairly significant group in Saskatchewan who use the program really successfully and those include the University of Saskatchewan and the University of Regina.

Now in both cases, the universities . . . To serve liquor at the University of Saskatchewan, we've worked with them for a long time on a modified program. Like staff who work within the confines of places like Louis', they do the whole . . . they need to understand the legislation. They need to understand duty of care. They need to develop the strategies. But if you are a student working in a college and you would like to profit from alcohol as the College of Commerce, right, then you have an obligation for any student who serves those bars to be . . . they have to do the in-house program at the university. And they actually renew every year. So a student at the university takes a modified program, and they rewrite their exam when they come back so they can work the next year. If they fail the exam, they have redo the whole program.

And at the University of Regina, the Serve It Right program, we are partners with them in terms of responsible service, particularly in the residence. And we are actually training as punishment. So if you are a student and you contravene the liquor rules at the university, you have to pay a \$100 fine and you have to come to a session. So we talk about what are the . . . Because young people have only their own experience, they don't understand that there are parameters.

And that was a pretty long answer to a . . . or a long answer to a short question. We have about 200 folks. We have about 200 operators, and about 25 per cent of those are very big users. The biggest single user is SIGA [Saskatchewan Indian Gaming Authority Inc.].

Ms. Chartier: — Okay. Having heard tourism numbers in the past or people who work in the hospitality industry — and I don't suspect that this is just in serving — but I think I've heard 65,000 people or very high numbers of individuals who work in tourism and hospitality. So 1,200, it's a great program.

As I said to you earlier, I went through it in 1992 at Louis' as a server, which was a long time ago. But how can you manage to

increase that number? And has that, the 1,200 people who go through that on average, how has that grown over the years? Or has it remained about 1,200 a year?

Ms. Cohoon: — It's interesting. Those numbers have stayed very consistent. Now we do have some pretty significant spikes in some years, like the years that the casinos opened. They have a requirement that both the Gaming Corp and SIGA are huge users of the program, and that is because they feel an extra responsibility. Like you are not only making decisions about people consuming, but people are also gaming. And you don't want to put people in a position where they're not going to make a good decision. Right?

So now it's interesting because of the smaller operators in places, like the south winds in Biggar, they did all their staff in the old program which . . . it's good business. And then when the online program became available, everybody did it again, and their staff stays pretty stable. Right? So those folks have done the program. And where we see we are not, at 1,200 a year, we're not sort of ahead of the curve in terms of the number of folks then, but it is a fairly cumulative number as well.

Ms. Chartier: — Any thoughts on how you do get ahead of the curve? Is there a huge . . . Is there a cost to the program for operators then? Or how do you encourage more organizations and operators to support their staff in doing this?

[10:30]

Ms. Cohoon: — Well right now we have three initiatives that are actually supporting those things. The Hotels Association has been the Chair . . . We've been doing responsible service in Saskatchewan since 1990, and the Hotels Association has been the Chair of the organization and hugely supportive. So each year at the hotels conference we do presentations on the program. And what it would mean this year, we had a lawyer who came and spoke to us all about due diligence and a number of other things.

We just did a . . . We just sent out 1,927 posters for people's staff rooms, and that was an initiative that was paid for by the Ministry of Health in terms of that reduction of harm issue and they . . . We've done other flyer and sort of regular campaigns. This is not a product that you advertise sort of to the . . . Like putting a newspaper ad in is less useful because it's a really specific audience that you want to get to for the program.

Ms. Chartier: — My last question here. What are you hearing about barriers for organizations or operators to do this? Because, like as I said, having been through the program, I have some sense about what it's about. I know how effective it was working at Louis' and I've worked at other establishments as well. So I'm wondering what you're hearing from smaller operators or those who aren't training their servers. What are some of the barriers?

Mr. Mullin: — Well I've been in this position for 13 years and the nature of the business has definitely changed. There's no question about it. People are becoming more responsible. We were talking about when we used to hear about fines. I think when the legislature increased the fines, or SLGA did, that had

a big impact. But I think it's been an educational process. The Serve It Right program has definitely been the flag-bearer for that. But we're doing responsible things and putting, you know, information out on our website and in the magazines that we produce.

And having that lawyer talk about due diligence, I saw that presentation in Vancouver and it was very effective. And so I think over time, if you get these operators learning about . . . It's not kosher to continue on the way we were doing things back in the '90s. This is changing. And I think as the gentleman before us and MADD, the people are getting more responsible and kids in general. I think that's the same for our consumers out there.

Ms. Chartier: — Thank you very much for that.

The Chair: — Mr. Vermette . . . [inaudible interjection] . . . Oh, Diane?

Ms. Cohoon: — Sorry, there is an . . . [inaudible] . . . to the program is available online, 24 hours a day, 7 days a week, and it's \$30. So to come online and do the program, including the testing, our biggest spike in terms of participation is 2 o'clock in the morning because that's when people get home from work. So they come online and they work for 45 minutes.

The Chair: — Sorry, I forgot. Mr. Steinley's first and, Mr. Vermette, if you want, then you're next.

Mr. Steinley: — Just a quick question. I've seen them popping up more and more, and I don't know if you guys are responsible or not, but the breathalyzers that are going into establishments where you can just pop a loonie in and see what your breath sample is. I find that interesting. I don't know if you guys have a take on that or what your thoughts are on those.

Mr. Mullin: — Well we've been approached by not a lot but some vendors that are marketing those. It's really up to the individual proprietor. We don't really have any take on the . . . We don't know for instance how that information would hold up in court, you know, for the actual calibration and if they're consistent, that kind of thing. So we really don't have a position on that. That would be up to the establishment if they wanted to do that.

Mr. Steinley: — Okay.

The Chair: — Mr. Vermette.

Mr. Vermette: — Yes, I guess the program that they could take to be a server and the program you're talking about, training, is for an organization or a business. It's a voluntary thing. I think \$30, you're saying. They can go online if they want to cover the cost for their servers or if the server wants to pay . . .

Ms. Cohoon: — Yes, yes.

Mr. Vermette: — Anyone could take it. It doesn't have to belong to an organization, a group with hospitality or anything like that. It's just a service you do, provide for your members but also to the public and other establishments if they would like to use it. Is that clear?

Ms. Cohoon: — Yes, absolutely. If someone from this committee wanted to come online and do the program, I'd gift you one. But anybody can come on board and take a look. It's a very engaging program. It's got lots of video support. It's got lots of questionnaires. And one of our interesting larger users is the Kinsmen Club. Like a lot of folks who work with the Kinsmen organizations, they do a lot of events that involve liquor, and they want to provide duty of care as well. So they do the program too.

Mr. Vermette: — Well now that you say that, that takes me one step to where I was thinking about that. Now you have the service groups, and whether they're service groups, clubs that actually have socials, and they do weddings, catering. They do the meal, and they serve liquor. And I mean, it's bought at a bar. You go up to the bar, and it's the organization that's doing it. And they do it, I realize, as a fundraiser.

Now these individuals, I assume, with liability, could take this program. And maybe you can explain to me like, okay, if you have two people that's serving liquor are trained, you have an organization where there's no one trained, what kind of liability are they putting themselves? And I'm just curious if you could give me a little bit that you're hearing or you guys have any experience with that where you had cautioned . . . You talked about lawyers presenting and maybe telling people why they needed . . . just a little bit of an understanding on that if you could.

Ms. Cohoon: — Well this is interesting for us because not only do we work on our program here, but collectively across the country, folks who deliver this program, we all talk to each other because we were born out of a common . . . that national strategy on driving without impairment that came out of Health Canada in 1990. So the programs are really similar. But if you take a look at the history of liability in Canada, the great-grandfather case for us was a case called Honsberger vs. Menow and the Jordan House Hotel, and that was 1973.

And in that particular case, we had a fellow who was noted to be a customer who was not a very, very . . . He was the kind of guy that came to your bar and had too much to drink and became a jerk. So the hotel said, we don't want you anymore. You can't come here unless you're under the care of a responsible adult. And Mr. Menow escaped from his responsible adult, had way too much to drink, and because you're not allowed . . . an intoxicated person cannot remain in your outlet, they ejected him, the Jordan House Hotel. And as he was walking home, he was hit by a car driven by Mr. Honsberger and he was injured. And Honsberger and Menow both sued the Jordan House Hotel, and it went all the way to the Supreme Court. And Judge Laskin, who was the Supreme Court writer, he established for us collectively that whole idea of duty of care. That's sort of that great-grandfather case, but we see lots of those cases every year. They're very public as well.

There was, you know, the Greenbryre golf course in Ontario that happened a couple of years ago where those four young people were served, under age. They drove into a water hazard and three of them died. And when they sued the golf course, they didn't just sue the server and the bartender; they sued the board for not having good policies and practices. Like we do see a significant amount of consistent liability, and it's all civil

liability. It is not like you're criminally charged. It is you did something that caused harm and now we are going to . . . now you're going to be responsible for that.

In Saskatoon we had the Texas T which was a pretty interesting liquor liability case. And it was interesting because we saw Jennifer Rudzowski who was the server was actually criminally charged in that case. And it went . . . It was very, very public, and then it was an over \$1 million civil liability suit.

So when you don't do things that are responsible, if you don't take care of people, you open yourself up to harm.

Mr. Mullin: — I think I could add to that we've had a program in place for our members as far as barring a person from the bar. And if we have, you know, habitual offenders of being intoxicated in an establishment, the owner would write to us, request a barring of this particular individual. We send it to our lawyers, and the individual gets a registered letter barring him or her from the hotel, and this goes to the local detachment of the RCMP [Royal Canadian Mounted Police].

So I mention that because it does happen. And you can insulate yourself with the SIRS program and any other program, but some of these things do occur occasionally, not as many as there used to be. I always gauge it by the number of calls at the office for barring letters, and it's gone down substantially. I think people are becoming more responsible, and it's just a case of marketing these programs out to the public.

Mr. Vermette: — I guess my last I guess question or whatever to yourself, you can respond to it, but you look at your association, your organization. I know you guys network well, and you talk about the challenges as an organization. And as a committee, we're trying to deal with fatalities in the province, and we're trying to reduce them, whether it's drinking and driving. There's other issues. We're having a lot of people presenting, like yourself.

Is there any one area where you would say that your group talks about where we could do legislation or pass legislation, make recommendations that you could, to us, that would say, here's something that we've talked about that would really be helpful to the industry. Now will it hurt us? And no one's trying to hurt the industry. We're trying to work and partner, and we know that your organization does that very well and commend you on that. But is there something you could say that would be helpful to us that would say, here's an area where we've heard if this one was covered, it would help. And I know you might have lots. But if there's one that would really stick out from your organization that you guys talk about, something that you could say to the committee, we know this would probably be our priority. If you could do that, it'd be interesting to see if there is.

Mr. Mullin: — Well you know, we have talked about, and the question came out last year about, the legal age for instance. Should it be raised to . . . or should it be gone, dropped down to 18. Our position on it really was that we have numerous members on the borders of Manitoba and Alberta that see young people driving across the border to consume alcohol in Manitoba and Alberta. That potentially could be a problem area there. We also looked at it and said, well yes, if the age was

lowered to 18, that gives us a whole new age category for people working in our establishments, which is an issue. Employment is a big issue with us, especially out in the rural.

But I think that the take-away from this committee is that we're working on this. We have a great committee. We've got a lot of corporate, as you can see on the logos on the display there, of . . . And we've been at this a long time. I think the biggest part was the online program that occurred in 2007. Our numbers maybe are constant, but we're getting the word out there.

And the only question would be, should this be mandatory as in other provinces? And we as a committee feel that we're doing a good job in getting it out there. It's up to the government and possibly this committee to say, well yes, it should be mandatory, or we're doing a good enough job as it is; let's leave it. Because let's face it. You've got an event like the Grey Cup coming up in Regina here. Well they'll be looking for a lot of people to be trained, the bar managers in the various venues at Exhibition Park and where else.

So I think as long as we keep the dialogue going and keep that upfront — and we just have a new campaign with posters going out to all of the establishments and working with SLGA — I think that's going to be the key for us. Do you have anything else on that, Diane?

Ms. Cohoon: — It's always the . . . There are big challenges when it comes to the development of people. And we really worked hard to make sure that we had a program that was absolutely accessible and absolutely affordable. I don't want someone sitting in Green Lake, Saskatchewan, not able to take the program because they can't get together a critical mass to do a workshop. So we've worked very hard on both accessibility and affordability. And there's a . . . I just think that it's a cultural shift for us as a collective to have young people very aware of the fact that they do have a duty of care when they serve alcohol. And I think once we've got that cultural shift, we're far better at keeping everyone safe.

The Chair: — Thank you. We'll go to Mr. Cox, then back to Ms. Chartier, then we'll go to Ms. Wilson.

Mr. Cox: — Thank you, Mr. Chair. Thank you for the presentation. I think Mr. Vermette actually asked my question. I was wondering if you knew of a weak link or a way that . . . a recommendation that you could make to us to help make the highway safer.

But another question that I had, is there a requirement . . . And again Mr. Vermette kind of touched on that, was with the fundraisers, those kinds of things. I know in the Department of Health, if you're going to have a hamburger booth to fundraise, you have to take that food preparation course to get a permit. I realize your association is voluntary, but is there any merit or any value to, say, making a service club have somebody that has taken this course and understands the legalities and the things that should be done? Is there any thought given to that?

Ms. Cohoon: — I think . . . Well it's interesting. I mentioned training as punishment for the University of Regina. We also have training as punishment for events that are what they call sanctioned. So if you host an event and you did not manage the

alcohol portion of your event well and there was a result from that that put you before the liquor commission, we do have folks who are sanctioned, usually from events, who are obligated to take the program.

[10:45]

Mr. Cox: — But there's no requirement going in.

Ms. Cohoon: — No requirement, no.

Mr. Cox: — You can go into SLGA and get a permit and hold a function without having anybody responsible.

Mr. Mullin: — I think the big thing with us generally, people working in the industry, we'll call them professional servers. Well you might have service clubs and, you know, special events where it's volunteer-driven, and they just aren't aware of the responsibilities that can happen if something goes there.

The Deputy Chair: — Thank you. Ms. Wilson.

Ms. Wilson: — Thank you, Madam Chair. I believe you've answered my question already, and it's been very informative. Thank you. Lots of information. So you're open to sharing with other post-secondary institutions or service clubs. Do you share the information with other organizations?

Mr. Mullin: — Yes.

Ms. Cohoon: — Yes.

Ms. Wilson: — Thank you very much.

The Deputy Chair: — Mr. Vermette.

Mr. Vermette: — As you were sharing and you referred to Green Lake. And you don't want anyone, you know, or miss an opportunity or anyone having access to the training. Giving the training to an individual that would take that, let's say I took the course and I tried to follow it as a server the best way I could. And I can prove that I took the training and I got my, whether it's a certificate that's certified, whatever, what classifies that?

Because if I'm going to court because something's happened, an incident, I'm coming before a court — and I'm not trying to make this complicated, but I'm just saying — what kind of protection would that give them? And is it certified? Is there somewhere it gives it a little bit of protection saying yes, this person did take the serving portion on how to serve alcohol and handle it? Could you give me some background information on that? That'd be helpful.

Ms. Cohoon: — Sure. Well when we speak about the program, it is about understanding that you have a duty of care and the strategies that you're going to use to manage it. But people who do the program, you are, the average length of time to complete all the components of the program is four hours. We have some people who take six, some people who do it more quickly. But in order to work through the program and do all the results, if you come online and register, we actually give you a lovely window of 45 days. You do not have to do the whole program in a single block.

As you work through the program, there is a pretest and a post test for each unit. So you clearly understand before you work through the unit what it was you knew and what you didn't know. And then when you finish the program, you are tested. You are locked out of the information. It's not an open-book exam. And there is a comprehensive exam. So your certification says that you actually understood this information when you were tested.

And of course we all face this issue of liability. We want to keep people safe, right? So it is, did you do things that were reasonable? So sometimes we don't understand, like young servers don't understand that. Their own experience tells them that when you go out and drink, you just drink a lot and that it's nobody's business but your own how much you drink. And that idea that you need to be aware and you need to be concerned about folks, and not just . . . is really the important thing. I'm not sure that answered the question.

Mr. Vermette: — No, it did because you referred to being, I think, did you say certified or what was that, certification?

Ms. Cohoon: — You're tested and you receive a certificate. Yes.

Mr. Vermette: — Okay. So you get that. So I guess then really if you're somebody who didn't take the program and you're just out there serving, I think somebody who's taken the program would be in more fault if they were to not follow what they learned. You know, it's almost putting themselves in a spot because they're realizing now, you know, your obligation and the liability. You're explaining it to them through this process. So it's interesting. I'm just looking at the difference to me and it just . . .

Ms. Cohoon: — Okay, I'm not a lawyer so I can't respond.

Mr. Vermette: — Yes, I understand. I'm just trying to figure it out. Anyway it's a . . .

Ms. Cohoon: — I understand that not knowing is not an excuse, right? So if I don't put my hamburger in the fridge and I serve it to you after it's been out all day, and I give everyone in the room salmonella, I am no more or less liable because I did or did not take the food safe program. It is, did you do something that was reasonable?

Mr. Vermette: — Thank you.

Mr. Mullin: — On this issue, it really comes down to due diligence if a case came to court of what did the operator . . . how did he insulate his establishment and staff from potential liability. And Serve It Right is one way of doing that, making sure or try and make sure that he has transportation home — you know, those various things. That's all you can do. I mean, what the individual does after leaving the bar is totally another thing. But as long as you do those practices in that, you should be okay.

Mr. Vermette: — Thank you very much.

The Chair: — Ms. Chartier, you have a question, I understand?

Ms. Chartier: — Thank you. I know you've talked about making it absolutely accessible and affordable, so \$30, and online deals with that. I'm curious about the mandatory versus the voluntary piece, and I think many questions have come up around that.

You had talked about other jurisdictions having responsible serving as mandatory, so I'm wondering where else, where do they have it mandatory?

Ms. Cohoon: — Okay, there's a brief history around that. We all met together, all the jurisdictions in Canada, with the exception of Quebec, met in Ottawa in 1990. And collectively we came up with responsible service programs for our own jurisdictions. And BC was the first to legislate, and BC legislated their program in 1991. And they legislated in 1991 to protect their own industry from this rising tide of liability. They were really hoping . . . Operators did not, were not aware that there was a responsibility for duty of care. And it was in BC, the first to legislate, they used to use a program where they sent you the materials. And it was an open-book exam and it was a pretty interesting process.

And then in 1994, Ontario talked about legislation. And initially it was only for new people. So if you were an older operator, it was an assumption. And then there was an interesting dynamic because both Labatts and Molsons in Ontario were fined \$400,000 for contravention of responsible service in their practices, in their beer gardens. So that money went to the Serve It Right program in Ontario, and they've been legislated since '95 across the board. They did 83,000 people in their industry last year.

And then PEI legislated in 1995, Nova Scotia in '96. Manitoba had a young person walking home across the Taché bridge and he was killed by a driver who had been overserved at the Viscount Gort Hotel. The case was very public, and a private member's bill put that program in place in Manitoba.

And then in Alberta in 2002 a 17-year-old was served four pints of beer — that's 80 ounces of beer — and the video cameras in the business recorded the whole experience. He was not checked for ID. He was served a lot of alcohol in 20 minutes. He left and got into his car. There is videotape from the door of the doorperson helping him get into his car. And he drove out of the lot into a Safeway parking lot which was next door and pulled over, and when they found him in the morning, he had frozen to death. So that was a wrongful . . . So Alberta ended up, as a result of that particular public tragedy, with a responsible service program as well. So legislation is BC, Alberta, Manitoba, Ontario, Nova Scotia, and PEI.

Ms. Chartier: — Thank you. I know it doesn't sound like there's a huge appetite for mandatory involvement here, but again it seems to be, as you said, rather accessible and affordable. I'm wondering what the problem or what some of the concerns of your members would be around making it mandatory.

Mr. Mullin: — I don't really think there is a problem with it. You know, when the server has their certificate or the card, it's transferrable. They're very mobile. They can move, you know, to other establishments. I really don't see an issue with it. I

think the government of the day felt that it might inhibit business development. To a certain extent that might be possible, but I think that the majority of people now have heard of the Serve It Right and the legal implications involved. So for us we would promote it, mandatory or voluntary.

Ms. Chartier: — Thank you for that. And it does seem like it would be a good investment in your staff and in your establishment, so I appreciate that. Thank you.

The Chair: — Great. I don't see any other questions from committee members. So I'd like to thank you for your time. And we'll take a five-minute recess and wait for the next presenters. Thank you.

Mr. Mullin: — Thank you very much.

[The committee recessed for a period of time.]

The Chair: — Hi there. Thanks everybody for returning once again. With us now we have the WorkSafe Saskatchewan presentation. I will turn it over to you. If you want to introduce your officials with you please, ma'am. And if anyone else speaks besides yourself, please identify yourself for Hansard the first time you're up. So thank you.

[11:00]

Presenter: WorkSafe Saskatchewan

Ms. Becker: — Okay. I'm Heather Becker. I'm the manager of social marketing for the Workers' Compensation Board. With me is Annette Goski, the manager, south, of prevention for the Workers' Compensation Board. We've brought Bob Ross from Enform and Ryan Bast from the Motor Safety Association to also represent our committee and answer any questions afterward. I'd also like to pass on the regrets of our vice-president of prevention, Phil Germain, who also wishes he could be here to present on our behalf.

Thank you so much for taking the time to be with us and hear us this morning. We are so happy for the work that you're going to be doing in our province. Our committee was formed because we understood the great risk that's happening on our highways right now in Saskatchewan. And all of us on the committee are passionate about safety and about bringing about a change in Saskatchewan, and we appreciate the work you're going to be doing and are doing already. So thank you for taking the time over the next weeks to be doing this. It's really, really important in the province.

So as background, WorkSafe Saskatchewan is a partnership between the Workers' Compensation Board and the Ministry of Labour Relations and Workplace Safety. WorkSafe Saskatchewan was founded in 2002 to bring about an immediate reduction in workplace injuries in the province. In 2002 our workplace injury rate was 4.9 per cent. Now it's down to 2.79 per cent. We've had a drastic reduction in workplace injury.

Saskatchewan has a huge injury problem. We have an incredible tolerance for injury here. We are the second worst in Canada for workplace injury, and we are the worst in Canada

for off-the-job injuries. People in Saskatchewan seem to tolerate injury as a way of life, and that's something that we have to change, and it's a challenge you're going to be facing as a committee. It's a challenge we face as a committee, and it's a challenge all of us face just living in Saskatchewan every day as coaches, as parents, as people in the workplace.

So the background to our committee is that . . . Oh, sorry. I guess what we're doing here is who we are as a committee, why we formed, and our strategy. That's what we're going to talk to you about today is who we are as a committee, why we formed.

Our strategy as a committee is we're going to be employing the principles of social marketing. We're going to target high-risk areas in the province. And high-risk areas we've identified are high-risk areas on our highways where traffic has increased due to increased activity in the resource sector due to oil, gas, and mining.

We've selected our target audience based on who is travelling on those highways. And who is going to be travelling on those highways may be fatigued, in a rush, and who, due to our injury data that we've collected, seems to be most at risk for causing those collisions or being involved in those collisions. And then we've been working with the RCMP and SGI on causation factors.

We're going to be presenting to you some recommendations and tactics that we're going to be using as a committee and maybe some ideas for you to be adopting as well in your own committee. And then we'll take some time for questions.

So to back up, right now you may know it's the decade of . . . The World Health Organization has named this the decade of traffic safety from 2011 until 2020. And from that report, the *World report on road traffic injury prevention*, they've said in times of economic growth, traffic volumes increase along with the number of crashes and injuries. And we are seeing that in Saskatchewan.

Typically on average, the Workers' Compensation Board records 2.2 per cent of all injuries as a result of transportation collisions. In 2011 this rose slightly to 2.4 per cent, and it's now up to 2.5 per cent. In 2012 according to SGI there were 175 deaths in Saskatchewan on our highways, and in the month of August alone, we killed a person a day on our highways. On January 10th, 2013 this committee had its first meeting, and the day of our first meeting, a person a day had died on our highways. That was a really sobering statistic for all of us on our committee, and we all feel very passionate that we don't want that to continue here in Saskatchewan.

So backing up, because of what happened in August of 2012, WorkSafe Saskatchewan decided that we would do something about it. And so through its partnership, we began assembling a committee of concerned parties to address the potential increase in risk due to traffic-related injuries and fatalities in areas of the province that are most impacted by resource sector activity.

So they began to brainstorm what other people we knew and what other organizations might be committed to doing something about it. So we assembled our own work safe committee with Safe Saskatchewan who deals with

unintentional injury in the province, the Ministry of Highways, SGI, industry professionals like BHP Billiton, Crescent Point Energy, K+S Potash, and then we called safety professionals like Bob from Enform, Motor Safety Association, the Saskatchewan Safety Council. And then Sask. trucking, Sask. mining, and the RCMP became involved with us as well, the Heavy Construction Safety Association. We picked those people because of our own injury data and the industries that we felt should be involved.

This extraordinary group of people came together with absolute passion and purpose because all of us are involved with safety and keeping our own industry people safe. The Saskatchewan Safety Council said they had never been involved in a committee with such diversity. And when we met, the passion in the room the first time was incredible. It's created real momentum for all of the committee members because not only are we workers in the province, we're all parents here. We're grandparents here. None of us wants to be the one who creates a statistic or becomes a statistic, and none of us want to be the person who gets the phone call that it's our kid on the highway.

So our purpose was to provide a process for all of us as partners to support each other with the goal of reducing injuries. It was an opportunity for us as stakeholders to share our vision and to be able to share our research and what we're all doing together, and also then to create a cohesive message to the people of Saskatchewan.

So our key message is of course Mission: Zero, that zero is the only right number and to present that to the public in a cohesive way. We also wanted to leverage our ability to reach stakeholders such as employers, to reach members of the public, to reach front line workers, and to be able to share any kind of programming that we are doing and to save money and to save resources. So confirming our mandate became important to us. We're still in the process. We've only had three meetings, and so we're still defining a strategy. But our strategy is to be working together in a really effective way.

So what our key strategy is, and we're kind of recommending this to you guys too, is that we used the principles of social marketing. And what that is is to really identify the behaviour that you want to change. So first of all it's changing the attitude in Saskatchewan that injuries are an acceptable thing in our lives, secondly that you really closely define your target market and your target area.

So we don't just say distracted driving is the issue or sleep . . . driving when you're tired is the issue or drunk driving is the issue because there's lots of different reasons that people drunk drive. There's lots of different ways that they go about it. It may be that they can't get a ride home. In one area of the province or one certain demographic group, it may be that they're actually drunk driving at 7:30 in the morning because they haven't sobered up enough from the night before. But the reason and the attitude for that behaviour or the tolerance for that behaviour could be completely different. And it really stems from research.

So that's what we're urging you also to adopt is some of those principles, so conducting research to target and segment the behaviour, determine your audience, and elicit effective

attitudinal behaviour change. We can't seek a universal solution or a message. It's a really, really complex problem.

So we've begun by determining . . . We first did our industry segmentation. Then we've done geographic research. We actually have taken some areas out of the province that we were going to do, and we've decided on the areas that we're going to target. And Annette will speak to those.

Ms. Goski: — So the next couple of slides are graphs showing the average traffic flows and how they've increased over the years. So using highway traffic counts from the Ministry of Highways, information from the RCMP and SGI, and anecdotal information from the Saskatchewan Safety Council, Saskatchewan Trucking Association, Enform, K+S Potash, Canalta Hotels, BHP Billiton, and the Motor Safety Association, the committee agreed to focus on the areas around Lloydminster and the southeast corner of the province. As a committee we also looked at the area around Moose Jaw, and we will also be focusing on the area of the Belle Plaine intersection and Highway No. 1. But when you look at this graph, it does indicate that the traffic flows on Highway 4 from North Battleford to Meadow Lake and Highway 16 from Maidstone to Lloydminster has an increase in traffic flow quite a bit over the years.

We set 2007 as our starting point. We started it at zero just to kind of use it as a baseline, as our starting point, and to see really what the true increase in traffic was and if some of that was due to the growth in industry. And just to give you an idea of what this increase looks like in real numbers, on the No. 16 Highway there is an increase. This is actually a reflection of an increase of over 1,000 cars and over 500 semis per day on those highways. That's the increase from 2007 to 2012.

In the southeast corner of the province, we see even a bigger increase in the numbers on those specific highways. On Highway 47 the traffic flow has doubled from 120 to 210 per day in this time frame. The number of semis from Estevan to Weyburn has gone from 570 to 730 per day. And the Weyburn to Carlyle highway, the semis have increased from 250 to 490, so again that number has almost doubled on that highway.

We have respectfully excluded the commuter highways outside of Regina and Saskatoon. While acknowledging that they do have high injury and fatality rates due to the high traffic, our committee's focus was sector and regionally specific. We recommend a separate strategy to address the behaviour behind those commuter collisions.

When we look at targeting an audience, we use the collision data from SGI, the injury statistics from the Saskatchewan Workers' Compensation Board, and industry information from our committee members. And we recommend addressing three key audience groups. The first is the male workers, the under the age of 35. And these are in the sectors of transportation, heavy construction, oil, gas, and mining. These were the most at risk for workplace injury while driving. Males 20 to 34 accounted for one-third of the 4,297 collisions in our targeted areas, so a number of 1,420. Two point five per cent of all male claims are transportation related, as compared to 1.7 per cent that are the female claims.

The second audience target was: the employers, male, 45 to 55, management position in the sectors above; and the community residents, ages 30 to 45, who are impacted by the increased traffic and activity in their communities, and how to deal with that increase in traffic.

When we looked at the causation, the RCMP and SGI have reported that in 2012 distracted driving surpassed alcohol as the top cause of collisions resulting in fatality and death on the Saskatchewan highways. A limitation of addressing this cause is that distraction really is a catch-all that includes a number of factors. It can include cellphones, paying attention to the kids in the back seat, changing your radio dial, any type of thing that takes your eyes off the road. To address and prevent the root behaviour will require more research into the types of distractions causing those collisions.

Alcohol impaired driving remains the single largest cause of vehicle collisions causing injuries and deaths. We examined as well whether winter and icy conditions were a factor, but in reality the majority of injuries and deaths occurred on dry highways that were under good conditions. In the three years we have targeted, there were 4,297 collisions that resulted in injury or death. Over 2,500 occurred when the highway was dry, and over 3,000 of those collisions, the highways were . . . The repair conditions were cited actually as normal to good conditions.

Our next steps are to try to pinpoint the time of day when those collisions occur and conduct attitudinal research with drivers from the community who have been identified as most at risk for causing a collision and who may be both workers and members of the public. We are doing further study into the time of day, the driver experience, driver time on duty at time of collision. So are they coming off of a long shift? Are they starting a long shift? Is it the middle of their shift? The time of day we feel can give us some good information, as well as what's happening out there.

I'm going to turn it back over to Heather for the last part of the recommendations.

Ms. Becker: — So we have tactics and recommendations that we're going to be looking into as a committee for what we would like to be doing. And then we have recommendations that we thought might be broader that you might be wanting to look at. So that's what we're going to present to you.

So our recommendations that are more broad that you could be considering would be to focus on some target areas that are high at risk for us due to industry growth. For you it might be target areas that are looking at behaviour that you may want to be changing that would result from an attitude or a type of behaviour. For us, we want to anticipate the next high-risk areas and be proactive. So where is there a mine being built? Where is there a new discovery that's going to be leading to traffic? And so we've got areas that we're going to be looking at immediately too in the future for the next two to three years.

We recommend that you select your audiences within the target areas and be very specific. One message . . . You may deliver the same basic behaviour that you want changed but you may have to use four or five different messages.

Right now with WorkSafe Saskatchewan we're developing a distracted driving ad. In the ad, there's a mother with children and a young worker early on in his job. I think it's his first day on the job is how it's going to be shot. We're doing it in July. Unfortunately, these two meet on a Saskatchewan highway with a tragic outcome. It's two stories, but hopefully between the two types of messages about the distraction and the resulting collision, we'll be able to appeal to enough different people for the result to be maybe a change in behaviour, or at least a second thought that will lead to a change in behaviour.

[11:15]

So we recommend that you research the audience that you're going to try and reach, and assess their optimism bias. And what optimism bias is, when you ask people are you a good driver, a study in Australia also about safe driving said that optimism bias is if you ask people if they're safe drivers, 83 per cent are going to say yes; I'm not the problem. And so you're not going to reach those people anyway, because they don't think their behaviour needs to change. They think everyone else is the issue.

Optimism bias is also that they don't think anything is going to happen to them. So if you tell people, well one in four people will get cancer, and their neighbour gets cancer, they go, phew, good, I'm not one of the four. Optimism bias means it's not going to happen to me. So even though in Saskatchewan we're second worst in Canada for workplace injury, even though 100 people a day are getting hurt in Saskatchewan on the job, you don't think it's going to happen to you.

So what is a person's rate of optimism bias? We're going to start measuring for WorkSafe Saskatchewan, in their annual surveys, our injury tolerance level. We're going to measure injury level against how effective their messages are working. And we want to move that tolerance to injury, so that people in Saskatchewan aren't just tolerant, that we think that injuries are inevitable here.

What is the behaviour that you want to change and what are the behaviours to changing that behaviour? Is the barrier that people just don't have access to a safe ride home? People have to be at work too many days in a row? And then what is the attitude right now and what's the attitude that you want to have? And then we recommend your implementing a campaign and tangible tactics as required based on your research for each segmented audience.

For ourselves, our committee tactics are still to be determined. Our ideas and recommendations proposed including, we highly recommend breaking out the item, distraction, on the RCMP collision reports to really enable better reporting and cause determination of incidents. Distraction is really . . . It's too broad for us to be able to do prevention against distraction. We don't know what that means, and we really need to know what it means.

We've looked at a suggestion such as installing highway speed signage with flashing warning lights telling people their speeds. People do slow down when they see those red and blue flashing lights; a safety message billboard sponsored by industry. I've spoken to you about our TV online video. We'll be working

closely with municipalities, safety associations, industry, and other organizations to deliver a comprehensive safety strategy and our Mission: Zero messaging, community visits through Canalta Hotels and the hotel safety association.

We'll be conducting, hopefully, events at area hotels with workers and employers in the targeted industry to deliver our messages and to provide information through their rooms when people are at rest and open to hearing a message, rather than trying to reach them while they're busy at their jobs as well.

We've looked at encouraging the use of governors and GPS [Global Positioning System] monitoring by employers. We've looked at encouraging snow tire use similar to the Quebec legislation, maybe through a rebate program or an incentive program by employers if not through legislation. And we're also looking at researching other countries' traffic safety and injury reduction programs that have been effective, and what we could use here as well.

So we really appreciate the time that you've taken to spend with us and we welcome any questions that you may have. We also really, really appreciate the work that you are going to be doing and we welcome any opportunity to work together.

The Chair: — Great. Thank you. We have two questions, one from Ms. Wilson first, then we'll follow with Mr. Parent, and then we'll go to the rest of the committee after that.

Ms. Wilson: — Thank you, Mr. Chair. Oh this is a lot of great information. Thank you for your presentation. I commend you on this. Is there any coalition between unsafe vehicles and injuries? Do you have any statistics on that or can you comment, please?

Ms. Becker: — We didn't get information about the actual condition of the vehicles. We have vehicle type but not the condition of the vehicles. I don't think we even have vehicle year. That's a good question.

Ms. Goski: — Yes, that's a very good question.

Ms. Wilson: — As an MLA [Member of the Legislative Assembly], I drive a lot. I call myself a road warrior. And I'm always checking out cars and I've seen quite a few unsafe vehicles, in my opinion. So maybe that is something you can follow up on?

Ms. Becker: — That's an interesting idea. We do have research on privately owned versus company owned, and I would guess company owned is better maintained and better looked after than privately owned. And the majority of the collisions that were involved are privately owned versus commercially owned. That's also part of behaviour.

Ms. Goski: — It's something we need to look also, for sure.

Ms. Wilson: — Yes. Thank you.

Ms. Goski: — It's a very good question, yes.

Ms. Wilson: — It's just a suggestion. In my driving, that's one of the things I like to point out — is that roadworthy or not?

Thanks.

Ms. Becker: — Thank you.

The Chair: — Mr. Parent.

Mr. Parent: — You named quite a few different organizations and that, that you've worked with. And I'm just wondering, have you looked at the agriculture industry in any way?

Ms. Becker: — We did and we looked at whether actually hauling equipment was a cause and whether equipment . . . And in our areas that we're looking at, it wasn't a high cause. The collisions with equipment weren't a high cause on our areas that we were looking at. So for our targeted areas, that wasn't an audience that we were considering.

Mr. Parent: — Okay. I was just wondering because you see a lot of big implements on the highways and when businesses move their equipment and they're a certain size, they have to have a lead truck or in some cases a front and back vehicle. And I know farmers don't do that, but I was just curious to see if there was a lot of incidents or some incidents with when people come over a hill and all of a sudden there's a large combine there.

Ms. Becker: — It's broken out on this. If you look, unregistered farm equipment, in the areas that we targeted. So in the Moose Jaw and Regina area, unregistered farm equipment, there were three incidents between 2008 and 2011. So for us statistically, it wasn't a target, just based on our numbers.

Certainly rural families in the areas that we're looking at will be part of that community of 30- to 45-year-old families. Because for them, or if you look up at Lloydminster, if you're living on a farm right off that highway where all of a sudden there are 500 more semis a day going past your farm, you're going to be turning out to take your kid to soccer and all of a sudden instead of watching for 500 semis, you're watching for 1,000 semis. That's a huge, huge difference.

So the message to them, or the message to them when they're hauling equipment, is going to be a different message. And it's going to be based on the traffic that they're facing more than how they're hauling their equipment. But no, that is a good question.

Mr. Parent: — Okay. Thank you.

The Chair: — Any other questions? Ms. Chartier?

Ms. Chartier: — I just want to say first of all I appreciate the commitment to zero tolerance. You see other jurisdictions that have said that economic growth is good, but you still shouldn't be accepting any deaths. Zero is the ultimate goal, and we shouldn't be dissuaded from that. So I really appreciate that part.

But you said at the end of your presentation, and I appreciate that you've only had three meetings and have been doing this since less than a year now, but you said you've been researching traffic safety measures in other jurisdictions. So I'm

wondering, specific to transportation, resource countries or other jurisdictions that have similar demographics in resource, strength in resource sectors, have you found anything yet that either the literature or best practices are bearing out that you would see working here?

Ms. Becker: — I went to presentations and I saw two, one about Australia, and it was about drunk driving. But the phrasing they used for young men, I don't know that it would work here, but some of the tactics were interesting. The one that I reference in here — and I only just got the slides yesterday so I didn't have time to fit them in; I tried to obtain them — was from India. And what I thought was interesting was it was about, actually about level crossings which didn't relate to this at all. Do you still want to hear about it? Do you have time?

The Chair: — Sure.

Ms. Becker: — Okay. It was about changing . . . It was about using, it's called neuroscience, applying neuroscience principles to level crossings. Because there's a large number of people who are hit crossing as pedestrians or crossing as vehicles at level crossings with railways. And we also have that problem here in Saskatchewan. So I attended the presentation in Toronto and what they said was that what happens is people who live close to a level crossing become immune to the sound of the trains and they become immune to watching for the train. And so what they employed was some things that would trigger your brain to pay attention. So they used engineered controls and also signage controls. And they said what happens is we tend to put signage too far back so you start to ignore it and you see it too frequently. So they moved the signs closer because your brain only maintains stuff for about 10 or 15 seconds. They moved the signage closer: there's a level crossing.

Instead of having the bumps be parallel to the tracks because your car . . . And when you're on grid or when you're driving them frequently, you just ignore them. They actually put them on an angle because then your car was over it like this and it wakes you up and you think something's wrong with your car. So it was an engineered control that worked quite well and I don't know how that would work with us with snow removal but that's what they did there.

They also put up signs that was a man, actually his face screaming because people, your brain reacts to a person's face more than it does to words or just anything like that. So it was this horrified face going, and you stop and look. And they also put up a sign that was a train so that, when you approach it at speed, it actually is a picture of a train. So you go, oh, and you see it and you reacted to it emotionally. So instead of using words. And also I think, for them, it was partly a literature or a literacy issue. So they used a number of actual neuropsychological principles and they'd reduced the number.

In Bangladesh, I think there were 15 people a day killed at some of their level crossings. It was atrocious. And they brought the numbers down I believe, I don't want to quote a number but something like 30 per cent or something, and some areas to zero. Yes. So it was an interesting presentation on trying to apply different types of principles instead of things like we do. We're going to add more signs, you know; we're just going to tell people be more careful. It doesn't work.

Ms. Chartier: — Would you be able to table some of that information so . . . You were at a conference or somewhere where you saw this. Would you be able to table that for the committee's benefit? Any materials that you gained from that?

Ms. Becker: — Yes I'll ask permission to share it but I'm sure I can share it. Yes.

Ms. Chartier: — Okay. And you said you also had heard some things around Australia? So you were referring to India there. What kinds of things . . .

Ms. Becker: — That was a drunk driving campaign and it was that when people . . . How did it go? They used a phrase and it was about you metamorphose into something other than yourself when you drink and drive. So they used coasters and used symbols, don't be a . . . It was a W with an anchor picture, so you would hold it up to your friend, don't be a . . . [inaudible interjection] . . . Yes. Thank you, when you drink and drive. And it was a series of things like that. And so it was a, don't be a donkey, and you'd hold it up to your friend. And it was a series.

And boys really picked up on it and it was that boys drinking and driving were . . . And it was because the guys would go out, the research they showed was guys would go out, go into small towns, drink and drive, and because they couldn't . . . Their barrier was they couldn't get safe rides home. They couldn't get cabs in rural areas the same as we can here. And it was about using your friends to be your drive home. And if you didn't, then you were one of these . . .

Ms. Chartier: — Thank you for that.

The Chair: — Any other questions from the members of the committee? Mr. Vermette.

Mr. Vermette: — Thank you, and again thank you for being here. I want to try to make and understand this for myself. And your organization, WorkSafe Saskatchewan, you talk about the partners when you talk about highway safety and you talk about all different . . . You put your partners that are on there as a committee. And I think Danielle asked. You met three times and stuff.

I'm just trying to understand. Why was that? How did that group come together to do this and why? Because then I'm going to go into further questions. But I just . . . Can you explain that? What was the reason, and just to make sure. You might have said it but I might have missed it. I just want to be clear.

Ms. Becker: — We knew there was going . . . We knew there were increased risks on certain highways in the province, so our goal was to bring about, try and bring together people who would be concerned about injuries on certain highways in the province. Some of us had driven down to southeast Saskatchewan and went, oh my gosh, it's crazy down there and we need to do something. We didn't know who else was doing things down there, and so I got tasked to put together a committee. And so we brainstormed people that might be interested.

So we called Enform and BHP Billiton and SGI, and Shannon at SGI said, well I was working on something with BHP, and we said, that's great. And then we thought, well who else might be interested? So we have a health and safety leadership charter where people, leaders who are committed to safety have signed our charter. And so I looked through our list and called people who are interested in that industry, using our injury data. So who's signed our charter? Who has also, through the injury rates, would be committed to safety? And called them and said, would you like to be on a committee to try and do something about this? And everybody said yes.

Ms. Goski: — From the WorkSafe Saskatchewan perspective and the Saskatchewan WCB [Workers' Compensation Board] statistics, there are a lot of highway motor vehicle accidents that we deal with every day. And there were quite a few fatalities in 2012 from MVAs [motor vehicle accident] as well, so it is an issue. And it is something that we feel that we can have a part to play in preventing those injuries and collisions from happening in our province.

Mr. Vermette: — And I guess why I'm asking, obviously you're looking at certain areas and highways that are a concern. And I look at it and I'm not sure where you're getting your data, if it was just from the traffic, the number count if there was markers. You had people reporting that the traffic flow was so much more as far as . . . Like I'm just trying to think where you, because you determined . . . Like clearly from the map and the charts, you've targeted certain areas for a reason.

[11:30]

Ms. Becker: — We chose the geographic regions, and we actually have narrowed it down because we were looking at, okay, the area around Moose Jaw because there's the mine outside of Moose Jaw. We had targeted the whole highway all the way out. And we narrowed it down actually to the area, that Belle Plaine intersection, because that's where the injuries were.

SGI's provided us with the maps of injuries and fatalities in the areas that we targeted. The Ministry of Highways has given us the traffic counts. We've used our own injury data to select our industries that we'll be targeting. And then, like we said, some of the anecdotal information just came from the actual people who were the front-line people.

So in the future we may look at the area around Humboldt and those highways because of if there's a mine going up there. We looked at the area, BHP Billiton. One of the people on the committee is also the project manager for the mine outside of Jansen Lake. But there wasn't really a big increase in injuries or traffic out there. So we did narrow it down to the areas that we're targeting based on injuries that are already happening and based on traffic.

Mr. Vermette: — And I guess the worker that you work for are the Compensation Board, correct? Yourself?

Ms. Becker: — Yes.

Mr. Vermette: — Okay. So I guess when they're looking at I guess workplace injuries and people travelling, and they might be in a private vehicle or they might be working in I guess an

industry vehicle of some sort, so is that why you guys are looking at this from that point? And I realize, Mission: Zero. I mean, it's good to see that.

But I'm just curious. I guess I'm trying to understand the whole . . . And I mean everyone's trying to do what they can and we have to work together in its partnership and recommendations. And that's what we're doing. And I mean, we appreciate your presentation. I'm just trying to put the pieces together as groups come together to understand because then I want to take my question a step further and I want to go into northern Saskatchewan. So I'll just . . .

Ms. Becker: — No, that's a good question. For us, that's right. WorkSafe Saskatchewan is primarily . . . We are about workplace injury and that's why we chose the areas we chose. And that's why we said we respectfully are excluding the commuter highway east of Regina to Pilot Butte and to Balgonie. If you look at actual total injuries and fatalities, that highway's way worse. And around Saskatoon, that highway's way worse.

That audience and the behaviour around that type of distraction and those injuries, that would be a whole separate campaign than the young worker in our ad who has his first day on the job working in oil and gas down around Estevan. That might be a whole different type of behaviour. And we had to pick something. And so for us, our priority is workplace injury in those areas due to the resource sector. And maybe issues in driving in the North might be a different type of injury.

The guy that gets into his car at 7:30 in our ad, at 7:30 in the morning, he's not wearing his seat belt in this ad. And that's what the RCMP told us is those guys, they're not wearing their seat belts. The reason they're not wearing their seat belt might be a totally different reason why the person up in the North or another person in rural Saskatchewan isn't wearing their seat belt. So if you just do a campaign about seat belt use, you're going to have to have four different messages on why people aren't wearing their seat belt. So we have to pick our audience and we have to pick our location, and otherwise it's just not going to work.

So for us, yes it is about workplace injury. But for WorkSafe Saskatchewan, what we know is that an injury at home affects you at work and an injury at work affects you at home, and that's why we have a really tight partnership with Safe Saskatchewan and with all of these organizations. Because it doesn't matter if you fall and you slip on the ice outside your home and you hit your head, you're not going to be at work, or if you cut yourself at work and you go home, you're not going to be able to do the things you wanted to do. So we're committed to preventing injuries and working towards Mission: Zero. And that's why these partnerships are important to us everywhere, because it really doesn't matter — when you get hurt and you live in Saskatchewan, it impacts you everywhere.

Mr. Vermette: — And that's why I'm trying to understand that. And if you look at, I guess we'll talk about the mining industry in northern Saskatchewan. I mean there's mining in different other parts of the province, but I look . . . and coming from the North of course, it's just interesting to see. Did you guys look at the North at all in any way as far as injuries when

you talk about that or safety or stuff? How did you determine that because of the industry? And there's so much mining and people working in northern Saskatchewan in that industry and the trucks and the travelling back and forth to work. Some of the mines, yes they fly in, but some they're travelling in by vehicles and everything being shipped in, the services. Did you guys look at that at all as a committee? Or that just was not something . . . you didn't go over the whole province. I'm just trying to understand how you determine where you decided to target.

Ms. Becker: — Oh, I see. Yes, we mostly used the . . . Yes, we did stop at Lloydminster. That is as far north as we went because we were looking at highways. So you're right. We didn't go further north than that. I guess we were mostly using injury data and the highways. So no, we didn't look at the mines that are further north than that and those roads up there that much. But that would be a good suggestion maybe if that warrants it. And I think that's . . . and I think we can take . . . if we can take what we apply in other places and we can move those messages up there too, like if we're reaching an employer and we can reach an employer in the South, we can certainly use that too and reach . . . Yes, that's a good idea.

Mr. Vermette: — No, and I realize that because your partner was Saskatchewan mining industry, and I know they're all a partner in that whole . . . So I just wasn't sure. I just wanted to determine how you, you know, you look at everything and whether it was data, reports coming in from SGI, RCMP on fatalities or accidents or incidents on work-related travelling in and out of the mining industry. So I just wanted to understand. I'm just trying to get a better understanding of how you determine that, and that's all I was trying to say to that. I mean, keep doing the work you're doing, and hopefully some day it will be Mission: Zero. Thank you.

The Chair: — Great. Mr. Parent.

Mr. Parent: — You showed your partners up there, and I don't know how much information you got from BHP but I know they're . . . Like you mentioned GPS, and I know they use GPS on their . . . Anybody that goes on-site has to have GPS, and if you go over the 20 kilometre an hour speed limit, you're kicked off and never get back on that site. It's one of their rules. Any vehicle going onto BHP's site has to put about \$15,000 worth of safety on their vehicle. They're very stringent. And you might want to, you know, find more information about what they're doing and how they make their workplace a lot safer.

A Member: — Heather, Serge is here.

Ms. Becker: — Oh, you are here. Oh good. Serge Pelletier from BHP. There you go. So if you have questions . . .

The Chair: — If you would like to . . . If you're going to speak, sir, I have to have you come to the front table, please, as a presenter. Thanks.

Ms. Becker: — Serge, do you want to speak to the question about mines in the North? When we looked at different areas of the province, did we . . . I think it was mainly based on traffic and injury reports from SGI. We didn't . . . We looked at Deena's mine, but it didn't seem like that was as much of a

concern. And a lot of the mines, you said they had roads kind of . . .

Mr. Pelletier: — Yes, I can talk about it. I've worked for BHP. I've been in Saskatchewan for five years. Actually I was the first one to move here. I know the rules of BHP. There's no . . . We're not playing baseball. There's no three strikes. So if you make one strike, you're out. We have GPS on all our vehicles actually, and that's why this morning I . . . That's not why, but one of the reasons I follow the rules and the limit is somebody's going get an email if I go over the limit more than 8 or 10 seconds.

But when we looked at it in the early days, we picked the area with a high rate of accidents. And that's why the North, there's not a whole lot of traffic in the North, so the rate was really, really a lot lower than where we are. One of the key reasons why we're part of this is when and if the mine is approved, and on Jansen mine we're going to have a lot of traffic. And we're talking 3 to 400 semis per day, and some are heavy loads actually.

It's very important for us to make sure that we mitigate and try to be proactive and reduce the potential of accidents. And it's crucial, especially when you drive between Lanigan and Saskatoon at 5:30 in the morning or 5:30 at night you remember that, because there's a lot of traffic. It's like, who's going to get to Saskatoon first? It's very dangerous, and actually we told our employees to try to avoid that window from 5:30 to 6:30.

But for us actually there's . . . We collect a lot of data. We have improved the roads around the site just for that actually, try to reduce the potential accidents. And it's been working well so far.

The Chair: — Thank you very much. Mr. Parent, any further questions?

Mr. Parent: — Yes. What did you say your name was?

Mr. Pelletier: — Oh, I'm sorry. My name is Serge Pelletier.

Mr. Parent: — Okay. Thank you. And thank you for those answers.

The Chair: — Mr. Vermette, a follow-up question.

Mr. Vermette: — Yes. You said that you improved the roads, working in partnership to make sure it's safe. Like what kind of . . . Can you give us an idea? Here's a company that's . . . I'm just curious to see your commitment to safety, and just if you could give us a little bit of information.

Mr. Pelletier: — So what we did, we partnered with the rural municipality around the Jansen project, and all the grid roads that we build there are built to highway standards, so we can access the site without having to drive on gravel road. That's one point.

We have implemented a process and if our employees or any drivers that comes to our site has to drive on gravel road, they have to slow down when they meet a vehicle because there's a lot of windshield that can be broken there.

But we paved all the roads where the traffic will come from Highway 5 and Highway 16. So we built it as a loop so the heavy loads will not meet both loaded and unloaded trucks. So they come in one side, let's say from Highway 5, coming on our side, and they leave and they bypass and go Highway 16 and back. So if they go to Regina or in Saskatoon, they don't meet each other along the road. And only the small vehicles will meet a loaded truck. And that's one of the . . .

And we just actually . . . we haven't, probably should, but we're working with a consultant actually to . . . Well when we start bringing a lot of trucks, what we're going to do in a traffic management system, we're going to have a staging area. We don't have to have, we don't want to have 30 or 40 trucks lining along the road, even if it's a grid road, to wait to come on site. So we're going to have a staging and parking place where they're going to wait there, and they're going to get a ticket and a call and they say, okay, in 15 minutes you can drive to the site and dump your load and be unloaded and then you go. So they're going to have a parking, quite a large parking area just to take them off the road.

Mr. Vermette: — Okay. Thank you very much.

The Chair: — Okay. I don't see any further questions, so I guess I'd like to thank the presenters this morning. Thank you so much for that. And we'll take a recess now until 1 o'clock. Thank you.

[The committee recessed from 11:41 until 13:00.]

The Chair: — Afternoon, everybody. It's great to be back again for the all-party Traffic Safety Committee after lunch recess. We'll have our 1 o'clock presentation now — Ministry of Justice, Corrections and Policing division. We have Murray Sawatsky, executive director, along with Dale Larson, executive director of policing and community safety services.

Just again, committee members, we know we can't enter a debate with the presenters, and presenters, you can't ask us questions. So far it's been a pretty good rule. It's worked out pretty well. So the floor is yours, sir.

Presenter: Ministry of Justice, Corrections and Policing

Mr. Larson: — Good afternoon, and thank you for the opportunity to present. Just in case you don't know who we are, I'm Dale Larson. This is Murray Sawatsky. The presentation that we will brief you on today is fairly short in nature. There's some statistics at the onset and then some options and suggestions as we go further. Murray and I will separate the presentation between the two of us.

So our first comment is in relation to traffic safety response options and, as you are probably well aware, every collision usually has three variables. It'll be a driver, vehicle, and a variable such as some of the items that we're discussing today and the reason that we're having this committee: alcohol, drugs, speed, specialized zones in relation to school, orange zones, etc., hands-free, and animals. And to deal with these types of variables, the response is usually one of engineering, enforcement, or education.

To put it in a bit of context, in relation to fatalities in our province, the homicide rate per 100,000 in 2012 was 3.6 compared to fatalities in collisions, we're looking at 16. Quite a substantial difference in number. Speed-related fatalities, studies show from Saskatchewan Government Insurance, have been fairly consistent over the last six years, and this includes new initiatives of education and enforcement efforts.

Survivability of collisions. This slide depicts the speed at which you're most likely to come out of a collision alive, basically, with minimal injury. Going over and above those numbers, you're more likely to either suffer serious injury or death. And it gives you some I guess baseline for a school zone at 30 kilometres. Studies show that that's probably the appropriate speed limit for those types of pedestrians in those areas of school zones and playground areas.

This was compiled from the UK [United Kingdom] study. And basically what it shows is the feeling that drivers have in adjusting their driving habits based on certain parameters. You can see that traditional police visibility and technological solutions, on a percentage basis, are for the most part considered to be the most effective by most drivers.

When we talk about increased visibility, one of the options that the ministry is putting forward is in relation to an enhancement of our current selective traffic enforcement program, or the STEP program, that most of you are I'm sure aware of. The STEP program runs throughout the province and is comprised of a combination of RCMP and municipal police officers.

What we're proposing is that we look at two dedicated teams of 30 police officers for each team, with 15 coming from existing resources of municipal and RCMP personnel and matched one for one by 15 from the province, which would give us a total of 60 police officers participating in a north and a south team. And directing their movements we're suggesting that we should be looking at either one or two dedicated analysts to focus the teams on the most appropriate area of the province for whatever is dictating at the time.

Alcohol consumption, alcohol sales have increased 15.9 per cent from 2000 to 2011. More than 50 per cent of males and approximately 45 per cent of females between 18 and 24 years of age consume more than five or more drinks at a single sitting at least once a month. And the Canadian Centre on Substance Abuse recommends a combination of population-level targeted approaches to reduce alcohol-related harm and costs in Canada. Murray.

Mr. Sawatsky: — Thanks, Dale. And members of the committee, and Chair, thank you very much for the opportunity to present. We've looked forward to this for some time now so it's with pleasure that we provide this presentation today.

Impaired driving responses. The ministry has a couple of thoughts around that. Certainly mandatory alcohol ignition interlock devices for individuals who exceed .08 blood alcohol. Currently I believe it's after your second conviction you have to have a blood alcohol or an interlock device. The ministry is suggesting to the committee that studies on interlock devices really demonstrate that there is a reduced incidence of reoffending for individuals with interlock devices. As well

there's a reduced rate afterwards of reoffending for people who have had ignition interlock devices. So we feel that rather than using the current two convictions, that anyone who has been convicted of a first-time offence should have a mandatory ignition interlock device. We also believe there should be zero tolerance for drivers under 22 years of age as part of a continuing graduated licensing program. As individuals in Saskatchewan cannot legally purchase alcohol until 19, the extension of the graduated driver's licence zero tolerance creates a habit of not mixing alcohol with driving.

And collision reduction tactics. I think we need to treat vehicle collisions similar to the way they treat airline and rail collisions right now. So rather than just a simple investigation to determine the cause of the accident, be it driver error, be it inattention, we really need to look at that more holistically. And if you're familiar with some of the investigations the aircraft people do, they look at all kinds of causes. Is it engineering, is it the vehicle or the airplane, etc.?

Our view from the ministry is that there needs to be more focus on, rather than just singularly cause, which quite often comes down to the driver or an icy highway or something like that, to engineering, to vehicle equipment, and to the driver. Consideration should be given to establishing a process for post-investigation recommendations and make them enforceable so that it would be . . . consideration would be necessary for the expense of engineering changes that may result. So in other words, once those recommendations came out, they would be binding and would be required to be implemented.

Also we could consider seat belt interlock. We have a huge amount of deaths in this province still, particularly in the rural area, where drivers aren't wearing their seat belts. And certainly seat belt interlock, where the vehicle couldn't start unless the seat belt were on the driver, would certainly be a way of reducing that — realizing, of course, that there are some freedoms that are restricted when things like that happen.

And speed devices for repeat speeding offenders. Certainly you could have governors or devices that did not allow the vehicle to exceed the speed limit by a certain tolerance.

And then certainly the other recommendation that the ministry would make with regards to collision reduction tactics is one of variable speed limits based on weather and road conditions. Again it would be an engineering thing. It would have to be some pattern established in order to suggest that speeds could be changed. For example, if it's very icy, then the speed limit may go down to 80 kilometres an hour, 70 kilometres an hour, depending on the conditions.

The other thing that the ministry has talked a bit about is community investment bond opportunities, and this is something that is just sort of beginning to take root now. And it actually started I think with the federal order of government where communities and private companies are given investment bonds and paid by the fact that they now provide some performance. So we would be looking at an investment bond or social impact bond as in effect a promise from government to pay only for activities that lead to social improvement.

An independent third party organization secures private money based upon a contract and negotiates with government. This money is then made available to address the social needs stipulated in the government contract. If targets are achieved, the government reimburses the investor plus a small rate of return. This concept rewards only successful organizations and moves the financial risk from government to the investor.

For example, a target of a 25 per cent reduction in recidivism for impaired drivers could be set, and a socially responsible company could fund the mandatory interlock program for a period of, say, five years. Should the results be met, the government would then reimburse the investor. So it's certainly a way of involving private industry a little bit more broadly in community safety and, in your case, traffic safety measures.

And just in closing, we talked a little bit about speed controls. We've talked about impaired driving with a mandatory ignition interlock, and zero tolerance to age of 22, collision reductions through speed devices, and more broadly enhanced collision investigations with mandatory recommendation and stipulating that those recommendations need to be fulfilled. We've talked about the community investment bond, and also increased enforcement visibility. And you recall that chart that Dale put up. I think it was his second or third slide. And we also feel that there needs to be some lobbying happening with manufacturers and the federal government for mandatory ignition interlock devices. We think that all of these will lead to some reductions in some collisions.

The other thing the ministry would like to leave the committee with is we feel very much that there could be a co-leadership or a co-management of traffic safety in the province. Right now, SGI is the primary driver when it comes to traffic safety matters, but the Ministry of Justice does have a role to play. And certainly we would throw out to the committee the fact that the Ministry of Justice would like to be a participant and feels it could be a participant in traffic safety. With that, Mr. Chair, thank you.

The Chair: — Thank you very much for that presentation. Any questions from members? Ms. Chartier.

Ms. Chartier: — Thank you very much for that. I'm interested in recommendations that aren't in your presentation. I'm looking at impoundment, what BC and Alberta have moved to, vehicle impoundment for impaired drivers. I'm actually surprised to not see that in your presentation, and I'm wondering why that would be or where you're seeing the evidence that doesn't support that.

Mr. Sawatsky: — Actually we've had a lot of discussion with the chiefs of police about that, and I know that is in their presentation. So they find it a very valuable enforcement tool and feel that is something that they would like to, an option they would like to continue to have. So rather than speak on their behalf, I do know that there's something in the presentation they're bringing forward.

Ms. Chartier: — You've looked at some of . . . We've had some presentations from organizations, well SGI and MADD, both who talk about mandatory interlocks, the zero tolerance BAC levels. But I'm wondering if you've . . . So the chiefs of

police will be talking about impoundment, but I'm wondering where the ministry falls on impoundment, again looking to BC and Alberta. So I know you've said you'd leave that for the chiefs of police or they will be talking about it, but I'm wondering if you've investigated . . .

The Chair: — Actually sorry, Ms. Chartier. That actually is a point of order in regards to your debating with the ministry staff about a policy. An impoundment issue right now falls under SGI in the highway traffic safety Act, so they cannot speak as to that because it doesn't fall under their purview. If they didn't present it as a topic, then you can't debate with them as to what their opinion is on it because they recognize as a member of . . . as ministry individuals, SGI has sole responsibility for the impoundment. So that's why you can't debate with the members about that.

Ms. Chartier: — Doesn't Justice write legislation?

The Chair: — In that case, Justice does the drafting based on recommendations from SGI. So SGI has their team of lawyers work with Justice in just drafting only. So the Ministry of Justice — and this is the policing service division — has no say in issues regarding the law. So that's a question we'll have to ask for SGI because they're responsible for the actual impoundments. The Ministry of Policing oversees resource dollars to go to policing enforcement. They don't have a say into policies like that. You can't debate with the members.

Ms. Chartier: — No and I'm not debating. I'm just wondering if you've got an opinion, having looked at some of the research and evidence. And you've looked at interlocks obviously and the zero BAC. So I'm just wondering if you do have a position on impoundment.

Mr. Sawatsky: — As the Chair pointed out, I think it would be inappropriate for us to comment on that.

Ms. Chartier: — I might be confused around jurisdictional issues here, but I'm not sure how interlock and BAC are different than impoundment.

The Chair: — Sure, I can answer that. Interlock and the BAC levels are what the Ministry of Justice decided upon and worked into the actual law through SGI. The Ministry of Policing doesn't direct police services to actually having an opinion on interlock or BAC levels. They would say here though, from their ministry standpoint, working with SGI and looking at outcomes, they'd recommend that that would be a good outcome based on some previous studies across, I guess across Canada.

If they're talking about interlock though, it's already in place in Saskatchewan. We know that already. So they would have to say . . . What they're saying here is they don't have a say in interlock at all. They can control the BAC levels because it's got a role to play within the policing division, and also with the issue of the highway traffic safety Act stuff. Interlock doesn't fall under the highway traffic safety Act, which is what policing services division is responsible for, inasmuch as consultation with policing officers. So I'll ask you to move on to a different line of questioning.

[13:15]

Ms. Chartier: — Fair enough. It's clear as mud here for me, but I'll look forward to hearing from the chiefs of police. And thank you for that.

The Chair: — Mr. Parent.

Mr. Parent: — You were saying about the one, you wanted to put 60. Was it 60 officers on the North and 60 in the South? Or was it 30 and 30? I'm not sure.

Mr. Larson: — Yes, sir. It was 30 and 30, 60 total. And that is put forward as an option to increased enforcement.

Mr. Parent: — Is that with the existing officers, or are you looking at new officers to make up for the 30 and 30?

Mr. Larson: — There would be 30 new officers to . . . So for instance, if we put it in the context of the Moose Jaw police service where I come from, the police service, the community of Moose Jaw would dedicate one officer that would be matched by one provincial-funded officer. We would do that with the RCMP and other municipalities. So we'd have 15 funded provincially in the South and 15 funded provincially in the North, and matched one-on-one would give us a total of 60.

Mr. Parent: — And what about the 100 and . . . What was it, 120 I think new?

The Chair: — . . . 120 RCMP officers.

Mr. Parent: — Right. New officers. Can they not be utilized instead of having to add another 30 more?

Mr. Sawatsky: — I guess it depends on whether or not those 120 are provided. It's the ministry's view that we would feel that this 30 and 30 option would, we would recommend that as a replacement or in lieu of the 120. It's our view that the selective traffic enforcement program using the 60 officers would be a better approach where you would have targeted enforcement as opposed to just a general 120.

Mr. Parent: — I guess my question is, out of the 120 new officers that have been supplied over the last few years, I would think that . . . utilizing 30 of those instead of 30 new ones to work in this area.

Mr. Sawatsky: — I think one of the difficulties there, Mr. Parent, is that the RCMP right now have very few resources dedicated to traffic. And the reason they have very few officers dedicated to traffic is because they have very, very high caseloads and simply have to go where the priority is. So they don't have a lot of extra resources to do traffic enforcement.

What the ministry is suggesting is this 60 option would then put resources in place to allow that targeted type of enforcement to happen. So to use existing resources, I think they would find it very difficult because they are already deployed in areas where they need to be to look after their caseloads and their workloads.

Mr. Parent: — Okay.

The Chair: — So just for clarification, you're saying that although SGI is recommending 120, the policing services section's saying only 60 more. Correct?

Mr. Sawatsky: — Correct under the formula, Mr. Chair, that we put on our presentation.

The Chair: — Thank you. Mr. Vermette.

Mr. Vermette: — I'm trying to, Murray and Dale, to have a better understanding of . . . We talked about of course in the introduction, Ministry of Justice, corrections and policing division is with you . . . you're with. Can you explain to me in what way are you with the Ministry of Justice, so I just understand your relationship. Because I want to be clear here because then I have some other questions. If I'm not supposed to go there, I want to be clear that I'm not going there. So if you can answer that for me, then I'll know if I proceed with my questions.

Mr. Sawatsky: — Since I'm the older one here and more experienced in the ministry, I should probably answer that. When this ministry was created some time ago by government, it was created with two sides: an Attorney General side in the Ministry of Justice and a corrections and policing side in the Ministry of Justice. So although the Ministry of Justice takes on the full Attorney General's part — which includes all the legislative pieces, the civil law, the legislative drafting, and those functions always discharged by the Attorney General — they took Corrections and Policing, which was in a different ministry, and put it into the Ministry of Justice. So the Ministry of Justice really has two elements to it: Corrections and Policing and the Attorney General.

The Chair: — I want to add to that too, if I can. We came into government, 2007. We had a ministry of public safety, corrections and policing, and the Ministry of Justice. The Premier made a decision last year to then put Justice as the senior minister and the senior ministry portfolio, and combine policing and community and corrections under Justice with its own minister as well though still. So the Premier decided to combine those ministries with still the two separate ministers, but Justice has the seniority of the two.

Mr. Vermette: — Thank you. Now that I have that clear, and you're talking about community safety, we know that fatalities on our highways and our roads, whether they're urban, fatalities are something that we're all trying to reduce. So within your . . . I guess we're cautious on how we have to ask the questions, so I'm going to put this back.

So then you, and you can correct me if I'm wrong, you would have no problem with working with . . . If the Ministry of Justice was to work with SGI to develop laws that said clearly we want to impound vehicles and stuff like that, the police are calling for it, you would work with them if you were asked to work with them to, in any way, to give support to the Ministry of Justice, SGI, or police chiefs to say, yes we could work with you as a recommendation. Would that be clear to say you guys wouldn't be opposed to it or you wouldn't stop it in any way?

Mr. Sawatsky: — No. We would be prepared to work with them, absolutely.

Mr. Vermette: — Thank you very much.

The Chair: — Thank you. So at that point again, you would take . . . Your stakeholder group would make a recommendation. You would then carry that stakeholder group recommendation to your deputy. And then he would take it to his deputy of Justice as well, would talk about it, then look, through SGI in collaboration, to put together a new policy platform or laws, which has always had been the way it's been. Ministry of policing doesn't come forth with an idea, but it's taken from the ground level through stakeholder groups. Correct?

Mr. Sawatsky: — Correct, Mr. Chair. In fact we do that a lot on a lot of issues that are identified, you know, as public safety matters, either by the police or some other constituent group. And then we would work with them quite often to help implement that or do whatever legislative changes are required. And just to sort of reiterate the Chair's comments earlier, the ministry would do the drafting of the legislation upon the instructions of SGI or whatever the other group was that the drafting was being done for.

The Chair: — Okay. Ms. Chartier.

Ms. Chartier: — Thank you. Around the interlock program, you'd mentioned the fund. I don't have it in front of me but how are you . . . So you want a community fund or a fund to support different traffic safety initiatives, but you'd also mentioned in that interlock . . . So are you envisioning something different where individuals who are required for an interlock not paying for it themselves but being supported through this fund? Or how do you envision that?

Mr. Sawatsky: — You know, this is something that's new. So I guess, you know, the concept is there, but how it would actually play out on the ground, I'm not really sure.

But the idea behind this being, that is if a private company or a private individual come up with an idea and that idea provided a certain level of performance, government would actually, could actually get into an agreement where they pay for part of that. Ignition interlock could be an example of that. For example, if they decided to put ignition interlocks free of charge into people's cars who were first-time offenders for impaired driving, would there be a private company that is willing to do that? And if some performance measures are met, then would government be prepared to sort of help that company by paying for some of that?

So you know, those are just kinds of concepts that are being floated around there. Like I say, I don't think anybody's really brought it down to the ground yet as to what it would look like.

Ms. Chartier: — So a public-private partnership is what you're saying.

Mr. Sawatsky: — Like a P3 [public-private partnership]. Yes.

Ms. Chartier: — Okay. But you did . . . Interesting, I would not have thought about that as around the interlock piece, but thank you. That gives me some clarification.

The Chair: — Thank you. Mr. Steinley.

Mr. Steinley: — Your last slide . . . [inaudible] . . . talked about lobbying manufacturers to provide interlock. Is that like to already . . . Cars off the assembly line with interlocks in them already, is that what you're thinking about?

Mr. Sawatsky: — You know, we certainly have had those discussions internally as something that could occur. I mean, you know, on one hand you may be penalizing drivers who don't drink, but then there may be ways around that as well, to defeat those systems or inactivate those systems. But certainly if an ignition interlock came in every new vehicle that was manufactured, it would certainly, I would suggest, have a dent upon impaired drivers. Now I know that civil rights folks may not be real happy with that, but notwithstanding that, I mean if you're brainstorming a little bit and thinking sort of hopefully outside of the box, I mean those are the kinds of things that could foreseeably be out there.

The Chair: — Thank you. There was also some interesting . . . For the committee members, I saw a video. Nissan is developing a car, or Toyota is, that automatically has an alcohol sensor in the vehicle through a failure filter system. So it's one of those things that we're seeing it being considered across the manufacturing industry sector. However in a case like this, vehicle standards is a federal responsibility. Although I'm not opposed to it, it's a federal responsibility and it would have to come from the federal government. And of course then you'd have the lobbying efforts maybe opposed or in favour from the actual manufacturers. So it's good food for thought.

On the point of the community investment bond, I know it was one of those things years ago that was used back in the '80s to invest in economic development in the province. And it was fairly widespread and widely used. I do understand this, and I think just for clarification is that we would have X, a company named X is prepared to install interlocks for free of charge. However there'd have to be some sort of mechanism for government to pay them back, based on if we saw a marked fatality reduction in impaired driving or impaired driving charges. Is that what you're saying, a performance kind of a bond issue?

Mr. Sawatsky: — That's my understanding, Mr. Chair, sort of the concept.

The Chair: — Thank you. Any more questions? Ms. Chartier? Sure, Mr. Cox. Mr. Cox will go first.

Mr. Cox: — Okay. A couple of things just to be clear. You're talking 30 new police officers working with 30 existing now? It's not 60 new?

Mr. Larson: — Not 60 new, 30 and 30. That's correct.

Mr. Cox: — Okay, thank you. One of the presentations we had yesterday, we talked about the conviction rate with distracted driving with the use of cellphones, and we kind of thought we'd bring it back to your department. Is there are any thoughts or are you aware of any problems with that, with the conviction rate with the use of cellphones? Any thought of changing any laws or regulations that make that easier to convict?

The Chair: — I guess, again sorry, that's very much on similar lines of Ms. Chartier. Yes, because you're asking them to come forth with a recommendation from their ministry, which in fact would have to stem from their stakeholder groups based on consultations. So it's one of those situations where it's, with the procedures of the all-party committee, it's a bit of a grey area. You have to be careful here. So just, if you wish to reword your question about enforcement and what . . . if they're funding enforcement for distracted driving, that might be more appropriate.

Mr. Cox: — Okay, I'll withdraw that. Yes, and I suppose just to make you aware that we're hearing that that is a problem. And I'll leave it at that, Mr. Chair.

The Chair: — Good. Thank you. Any more questions? Ms. Chartier?

Ms. Chartier: — Yes. Around the zero BAC for those under 22, I'm the mother of a 15-year-old, and so those kinds of things interest me. And we've heard from other presenters looking at Ontario and other jurisdictions. But I'm wondering what's informed your recommendation around the zero BAC? The best practices or what literature are you drawing on for that recommendation?

Mr. Larson: — Some best practice, obviously, and some recent literature out of the US [United States]. Actually it was last week, quite a lengthy article in some of the larger newspapers about lowering it to .05 across the board for everyone in the US, you know, aside from the .08. So the younger driver with zero tolerance, there's also some worthy, you know, studies that have been done in that regard for lowering the fatalities too.

Ms. Chartier: — Thank you for that.

The Chair: — If I can ask a question then about the distracted driving piece. What are you hearing from your police chiefs and the Saskatchewan Federation of Police Officers? What are you hearing in regards to distracted driving because the Deputy Chair and myself and some SGI members went to Edmonton for a traffic safety conference, and it is very much an epidemic across the world. But the officers that I spoke to from the States say the same thing that I knew about when I was patrolling. It's almost impossible to catch. What are the chiefs of police in the Saskatchewan Federation of Police Officers saying to you on your ongoing stakeholder consultations and possibly recommending for a change to enforce that?

Mr. Sawatsky: — Well I can start out, and then certainly Dale who was a former chief of police will have thoughts as well. Anything that I tell the committee here is just my perceptions of sort of anecdotally as what we've been hearing.

We are hearing that the police community is quite frustrated. They find that the distracted driving is very high — the use of cellphones and other things, people eating and those sorts of things while driving. It's difficult to enforce. And when they do enforce it, it's sometimes meaningless. I heard — Mr. Chair, if I can repeat a comment I heard — I heard from one police chief who said that one of his officers had stopped somebody for driving while talking on the cellphone. The person continued talking on the cellphone and said, just give me my ticket and I'll

get on my way. So it was I guess that meaningless of an event for that person.

Now he may have had a lot of money, so maybe it wasn't, you know, as difficult for him as it would be for example for a young mom, a single mom who has a couple of kids. So you know, when you make the comparison . . . But certainly I get a sense, and I certainly ask Dale to chime in as well, that they're frustrated. They don't feel that they have a real good tool to deal with it.

[13:30]

Mr. Larson: — I think Murray's captured it quite well. And we've had some recent judgments that basically the court had thrown out a conviction because the officer wasn't able to articulate that the person was actually talking on the phone even though he had the phone up to his ear and mouth. So those types of issues that we deal with.

The Chair: — Thank you. Ms. Chartier, I think you had a question.

Ms. Chartier: — What are you hearing from your stakeholders about impoundment? I know I've had the opportunity to talk to some traffic safety police officers, and I've talked to the chief of police in Saskatoon as well. But I'm curious what you're hearing from your stakeholders about impoundment. We've just made some legislative changes here last week to 280 — it's 280, wasn't it; yes — which I know some on-the-ground police officers were less thrilled about. But just generally, what are you hearing from your stakeholders about . . .

Mr. Larson: — From a stakeholder position, I would guess that Chief Weighill probably summarized it quite well to you in his comments. And I know what his position is on that, and it would be a position that was held widely by SACP [Saskatchewan Association of Chiefs of Police]. And I guess on that, in that regard, again from their perspective it would be pretty hard to argue with some of the results that Alberta and BC are seeing with that legislation.

Mr. Sawatsky: — If I could just add my comments. I think the police view it as a valuable enforcement tool, if that helps.

Ms. Chartier: — Thank you for that.

The Chair: — Mr. Cox.

Mr. Cox: — So, Mr. Chair, just to be clear, then we should be bringing these issues up with the chiefs of police, and that's where it starts and comes from there? Am I correct?

The Chair: — Yes, however the chiefs of police will not be presenting. They're going to give a position paper. So what we'll do is we'll have the position paper tabled with the Committee Clerk, and what we'll do then is, if we wish to ask additional clarification questions from the chiefs of police, we can ask for another further written submission. But they have chosen not to present to the committee. So questions to the ministry of policing services division individuals in regards to what they're hearing are very appropriate. So if there's more questions on those lines, they'll definitely entertain those I'm

sure. Mr. Vermette.

Mr. Vermette: — Thank you, Mr. Chair. I'm thinking about . . . We're all working hard, and I think that's what the committee is doing and groups are. And a lot of partners and a lot of groups, organizations, whether it's individuals, are giving presentations and will help us make our decision based on the recommendation we can make to the Legislative Assembly.

Now having said that, I look at it — and you correct me if I'm wrong — I'm getting a sense from you and I'm getting a sense I think from SGI and a few others that I've talked to that you work with a large group, and you try to make sure communities are safe. And I've said that earlier in my comments about not only on highways but in our urban and rural North. Taking that all in consideration, then clearly I'd be correct or you can tell me I'm wrong, I'm getting a sense that the fines or the consequence — and you know, you've expressed that already — the fine didn't seem to do it.

What other types of things could there be? And would the I guess police recommendation be, whether it's police chiefs . . . I know they're going to submit something. But are you hearing from communities? Is there something more they're wanting? Is the fine not doing it? If \$280 is not enough, then is there something as a second or a third offence, as you violate this, then you know what? And we are serious. We're going to be hard on you so, at the end of the day, you do get the message and someone's not going to enjoy just a fine. It might be remove yourself out of your vehicle because you're not going to have it for a while. I don't know.

Are you guys getting a sense from anywhere if there's that type they're looking for? Or that's justice or nobody has really been talking to you. I'm just curious to see what's the talk out there amongst the group you represent and you work with.

Mr. Larson: — I would, you know, for the most part from their perspective, I would say that they feel the fines proposed or the penalties put forward are pretty much in line with the appropriateness of the offence in relation to Criminal Code driving offences and those types of things. The distracted driving, I'm sure they feel that the penalty or the voluntary payment for that offence is appropriate. It's just the difficulty in the enforcement side of that, actually getting the convictions in front of our courts.

Mr. Vermette: — Okay. Then if that's the case . . . And I mean I'm not drawing my own conclusions. I know if it was me as an individual and if I was trying to do my best to serve and make everyone safe and you try to do that, you would then end up getting kind of frustrated. Because if I'm going to put hours into trying to deal with serving a ticket on someone, and at the end of the day I know it's wasting my time and where I could be doing other things, it kind of would I think . . . And I mean you can correct me if I'm wrong because I guess as an individual it's our own choice. I kind of maybe would just kind of look the other way and just not pay attention to certain things because if I'm not really focused on it, I'm just not really going to observe it. I don't know if that's correct. And that's . . .

Mr. Larson: — Maybe not so much. I think officers are professional enough to understand that they have a job to do on

the street and they do that job quite well. And whether or not they actually fine somebody or use their discretion and give that person a warning, they're hopeful that that behaviour, that the reason that that person was stopped for, will not continue.

So if it goes down the fine route, that's basically out of their hands once it goes past the charge stage, you know. And they do their due diligence in court, and it's up to the judge. The issues that we'd brought forward on the BAC type of discussion and the interlock devices, those are options aside from what I think of as a penalty or a fine or incarceration type of discussion.

Mr. Vermette: — Okay. Thank you for just giving me some clarification on that. Thank you.

The Chair: — Thank you. Can I ask you a question now I guess? I would like to ask you about bylaw enforcement and special constable status in the province. We do know that some RMs [rural municipality] are talking and have asked for some input. I know at the 2012 SARM [Saskatchewan Association of Rural Municipalities] convention, policing services actually presented to the RMs about how to . . . and what could take place to become and get a bylaw enforcement and special constable status.

Is there a current working group now between the Ministry of Policing and SARM and Justice with ongoing discussions with SARM to look at possibly adopting bylaw enforcement officers, special constables, within the rural municipalities to enforce their own bylaws?

Mr. Sawatsky: — Actually I looked at Dale because he's actually on that committee, but he gave me the go-ahead here. So yes, right now we are looking at that as an option. As we all know, policing is very expensive, and a lot of RMs have expressed over a number of years now that they want some lower end enforcement, you know, anywhere from bylaws up. As we know, all municipalities have authority to appoint bylaw officers, but they seem to want a level of enforcement that extends just a little bit above that, you know, some of those minor irritants like speeding vehicles or people squealing tires or those kinds of things that the police normally don't get to because they're tied up doing so many other things.

So right now the ministry has a committee going which Dale sits on with SUMA [Saskatchewan Urban Municipalities Association] and SARM and representatives from policing. And we're trying to develop a bit of a framework that would cover the sort of nuisance pieces that I talk about. And I don't mean to demean it at all when I say that, but those sort of irritants that we hear from elected municipal officials all the time are really sort of plaguing them.

So we've got that committee doing some work. We want to build a framework and we want to look at things like governance and training and what sort of equipment and tools people would need to do that enforcement, and then provide an option of ranges for municipalities to look at what kind of enforcement they would like and where they would sort of fit on that scale. And we're also looking legislatively at what authorities under various pieces of legislation would need to change in order to enable that. So we are making very good

progress on that. I think Dale's committee is prepared to . . . I think you're providing something internally in August or September, so it's moving along very quickly.

Mr. Larson: — Hopefully by the fall we'll have something forward.

The Chair: — Thank you. Ms. Chartier.

Ms. Chartier: — Thank you. The distracted driving piece is huge obviously and I . . . Having been to the traffic safety conference with Mr. Hickie and speaking to a lot of people, there doesn't seem to be anybody who's put forward a really great solution or where you can say this works or this works. I know in Alberta they were complaining that many people, many businesses will just accept that they'll pay the ticket for their employee. It's a cost of doing business.

But I'm curious what you're hearing from your stakeholders here in Saskatchewan. You had said, Mr. Larson, that the fines and penalties were appropriate or you felt that your stakeholders felt the penalties and fines were appropriate, but you said getting the convictions is the more difficult thing. So I'm wondering what the stakeholders are telling you needs to change in order to get the convictions.

Mr. Larson: — Well whether or not we actually have to look at, from their perspective again, the way the charge is worded, to take care of some of those little . . . I wouldn't call them a loophole but vague areas, to tighten things up a little bit better.

In relation to that distracted driving issue, you probably are aware it's a, you know, it's a national problem. And in the States last week, some of the Sprints, the major telcos down there got together. That's never happened before. Four of them got together and started a media blitz around the dangers of using your cellphone while driving a motor vehicle. So the private companies are, from their perspective, starting to move to the safety aspect of that as well.

Ms. Chartier: — What would be the loophole or loopholes? Like would we need legislative changes to improve our distracted driving? So we've got impaired . . . Sorry, we've got cellphone law and then we've got distracted driving, which are two different pieces of legislation. No? Or they'd address two different issues though. So in terms of the loophole, what would people, what would police services like to see change that you're hearing from them?

The Chair: — I think before you answer the question — I think it was yesterday I talked about this — that there was that law in Saskatoon where, and I think Mr. Larson referenced it or Murray did actually, where a guy had a cellphone . . . No, Dale did. He was pulled over by Saskatoon Police Service. He went to court and said, I wasn't even using my phone. I was holding it, and I was singing to the radio. The first judge says, no you're guilty. It went to an appeal status. The Chief Justice of the province said no, you couldn't prove that he was actually using the phone.

So one they had mentioned yesterday is that looking at it — and SGI talked about it as well — the actual word holding the phone is one thing that we're going to look at possibly as a

change. But, Dale, or Murray, if you want to add any more than that. But distracted driving law in Saskatchewan was to address and is written in such a fashion for cellphone use only, hand-held devices. And the actual other law, which is of course undue care and attention, applies to a myriad of things within accordance to the regulations. Dale.

Mr. Larson: — And to capture it as, you know, a loophole type of comment, I think it's more in relation to just tidying up the actual charge section, as the Chair has alluded to.

Ms. Chartier: — Other jurisdictions have done it differently. I understand Alberta . . .

Mr. Larson: — I'm not aware if they have.

Mr. Sawatsky: — I can only say this because I happened to be present in a conversation that was happening amongst a group of police chiefs at their meeting. And they did talk about legislation in other provinces that talked exactly what the Chair was talking about, where holding is . . . the offence of holding a cellphone as well. And they felt that, you know, having a change like that would be beneficial to getting a conviction or being able to do something about it.

Ms. Chartier: — Thank you for that.

The Chair: — Yes. I think on that point too — correct me if I'm wrong — but then the reverse onus clause goes back on the actual owner of the phone to say, I wasn't holding it. You have to prove to the judge, the owner has to prove to the judge that he or she wasn't holding the phone when the police officer can clearly say, I observed holding a hand-held device in their hand. And then the onus is on the owner to say, I wasn't holding it. But the judge would typically rule in favour of the law enforcement community on that one.

Seeing no more questions from the committee, I thank the members for their presentation today. Thank you for the new ideas. Again we're looking forward to the presentation . . . sorry, the written submission from the chiefs of police. And I have a funny feeling that it's going to be . . . [inaudible] . . . on what we heard today as well from the, overall, from the ministry, from what you're hearing from the streets. So thank you so much. We'll take a recess until 2 o'clock.

Mr. Sawatsky: — Thank you and good luck to the committee.

[The committee recessed for a period of time.]

The Chair: — All right. We're back again after a short recess. So we have our 2 p.m. presenter, Mr. Murray Klatt. Again, Mr. Klatt, I think you've been around for a couple of presenters now. You know that we won't debate with you, and you can't ask us questions. And whatever you present to us today will be tabled as well, with your permission of course. So the floor is yours, sir.

Presenter: Murray Klatt

Mr. Klatt: — Very good. Thank you very much. Good afternoon, everyone. It's a real pleasure to have the opportunity to talk with you.

Just to give you a little background on who I am, I included in your package there part of my curriculum vitae that I use in court. I'm a traffic collision reconstructionist. I'm retired from the mounted police. I spent just over 30 years in the mounted police. And while I was in the mounted police, I spent seven and a half years in charge of the collision analyst program. And as such, I was reviewing files. I was attending serious car crashes. I did an awful lot of public presentations on traffic safety.

And at that time, the upper structure of traffic services in the mounted police was a staff sergeant in charge, and then I was the only other full-time employee that was not out where the rubber meets the road.

I was part of the planning committee with the RCMP when traffic services, as it's known today, with the 59 members, was created. Prior to that, the traffic services was used to supplement detachment policing and it wasn't doing traffic work. And we all realized that, hey, there needed to be more work done in traffic. Now as it's in between the time I retired, in January of '04, the upper edge has changed a little in that there's an inspector in charge, two staff sergeants, a sergeant, and four corporals — none of whom touch the road as far as enforcement's concerned. So things have changed an awful lot, yet they've still got 59 bodies.

[14:00]

I've been instructed on an awful lot of courses — collision investigation, traffic law enforcement, things like that. I've done countless presentations at STEP conferences, the selective traffic enforcement program conferences that SGI sponsors. I've done about 70, in fact I think it's over 70, traffic safety presentations to different groups from either through the Saskatchewan Safety Council . . . or an awful lot of them since I retired in 2004 because that's what I'm doing now to fill in my days as a retired person.

Back in 2001, SGI and the mounted police signed a memorandum of understanding. And the objective at that time was to reduce death and injury on our highways, try and improve the situation. And at that time, things were the same as you're talking about now. Exactly the same. You know, how are you going to do it?

And this was something . . . Unfortunately I've been out since 2004, so I'm not able to comment on what has been done. However I still have pretty good contacts within the mounted police, and there's been major changes, some of which are very recent in the fact that, you know, after I left the mounted police, they were working in groups doing blitzes all over the place. Every traffic services person in Saskatchewan was working the same shift for a long time, and I couldn't believe it. Crime doesn't stop at the end of the policeman's shift. But anyway that's what was done, and just recently apparently that has changed so that it's getting . . . There should be higher visibility on our highways.

At that time in 2001 the focus, again, still on drinking and driving, seat belt use, intersection crashes, and speed issues. Same thing back then as it is now. Things haven't changed.

The biggest challenges that I can see you people dealing with when you're dealing with the enforcement community is convincing upper management that, hey, the police are able to make a difference out on the roadways. And get more bodies. This attitude, it's been there with upper management in . . . I can only speak with regard to Regina Police Service and the RCMP because I've dealt with both those considerably and it's . . .

You know, it wasn't that long ago in Regina Police Service where the two sergeants that were heading up traffic services both had gotten transferred and a constable replaced them for a long time, you know. There isn't a rush to fill these jobs. And Kwei said this morning — or not this morning, yesterday morning — that there was 59 bodies in the RCMP and 48 where the rubber meets the road. Well there never is 48 where the rubber meets the road because they're always running some vacancies for one reason or another, and they're never in a rush to fill them when it's traffic.

Traffic needs to get a higher priority. They need to get people into traffic that want to be there, you know, and a big part of that . . . In 2001, when we rolled out this memorandum of understanding, I made trips all over the province representing traffic services, doing presentations on what was expected from the police. And what it amounted to was a training session to try and give the members an idea of how they could contribute to the reduction of death and injuries on our highways.

And a big part of it back then was just the use of seat belts, if we could just get everybody belted in. And then, like yesterday, when they were talking that it's supposed to be 95 per cent, however we realize that it's somewhere around 80 for rural areas, and 100 per cent of the people that have died on First Nations were not belted in. That to me is . . . Somebody needs obviously to be doing a little more enforcement and education in those areas.

Recruitment is another thing. And this is, you know, mounted police as a whole, police forces as a whole are having challenges recruiting good people to work whether it's . . . And a lot of people that are joining are joining because of the glory of working a drug squad, the glory of working a major crimes unit and things like that. Well the reason those things are needed is because of the end results, you know. There's drugs being sold on the highway. Somebody has been killed. There's a robbery or something that has created a situation where major crimes or drug squad needs to get involved.

I was just talking to a fellow, who used to be in human resources with the mounted police, the other day. And he said it wasn't that long ago, when he was still in the force, they looked into programs that were occurring along the East Coast of the United States where they were having difficulty getting firefighters and police and police officers. Well they realized that an awful lot of the firefighters' time, they were paying firefighters to sleep, waiting for a fire to happen.

So what they did, they recruited the junior people to be a firefighter and a police officer. If a 911 call came in, then the police got it as well. The firefighter made it there as fast as his truck. There was people to operate the trucks that were left at the fire hall. But those people who were just going to be

ride-alongs from the fire hall to the fire rode along and actually worked a shift as a police officer when . . . you know, as a backup to the person who was a full-time police officer. Something to think about and certainly it's nicer than paying somebody to sleep so . . .

Also in the early '90s, Peoria, Illinois had a problem. I don't know whether you people are aware of that, but anyway they had a real problem. They had two interstates meeting in the city. They had I think it's 116,000 people at that time lived in the city. There was a lot of problems with major crimes. There was a lot problems with traffic deaths and injuries occurring on these roadways within their cities.

Well somebody had the foresight to move people to traffic. They took people out of major crimes sections. They took people from their drug squads. They put them into the traffic units, and they stopped everything that they could possibly stop. They enforced all kinds of laws. After a period of three years, their major crimes were down. Their traffic deaths were down. Their injuries were way down. Just major drops in everything, just because the police were out there and visible.

When I was stationed in Weyburn from 1976-79, there was no hotel or liquor outlet in Weyburn's detachment area at the time because Midale had a town cop. Yellow Grass had a town cop. We didn't police Oungre. So there was three of us on traffic, and we worked the highways diligently. In three years we never had a death on our highways.

I was at a conference in the States just a week ago, and the full-time collision reconstructionist out of Estevan was there, and he said Weyburn detachment area was his biggest client. They have more serious injury and traffic fatalities in Weyburn's detachment area than any of the others. And rightfully so because you've got 35, 39, and 13 Highways there. You've got a lot of paved surfaces plus you've got the oil industry. But still it just shows you that if a lot of things are enforced . . .

And you know, at that time if we brought in too many speeding tickets, the guy in charge of traffic services, who was Ole Larsen . . . You might remember that name. He's the fellow that was killed in Climax in 1981. He was in charge of the patrol at the time. He was a level 3 collision analyst and at that time . . . Well he instructed me on my first accident investigators course, and I've taken lots since then. But anyway he'd take the radar set away from us. Hey get out there and get something else. Didn't care what it was. You got something else. So we went out there.

And good examples of that type of thing are 10 to 15 years ago in the mounted police here in Saskatchewan. It was phenomenal what they were dragging off the highways. They were dragging . . . well 2,800 pounds of hashish on a routine check, two loaded .357 magnums from Hells Angels, a counterfeit operation they took down, a murder that hadn't even been reported yet. And this was at roadblocks just on the highway between Broadview and Moosomin. So you know, there's a lot of stuff out there. That's just one example. If you do that in the cities, you're going to be encountering the same things. It just takes a keen eye and an interest in doing traffic.

Anyway because of my job as a collision reconstructionist, you know, speed has always been a real issue. Not just speeding, but the faster people go, the less time they're allowing themselves to detect a problem on the roadway, identify it as a problem, decide what to do, and then actually do it. One of these sheets that I handed out there, I think it was appendix C — appendix B was the Peoria experience, a full copy of it taken off the Internet — and C is just a chart on stopping distances on different surfaces. It's just something that they're nice to know. So that if there is a little frost coming out of the roadway, you can get an idea by looking at the chart how much you should reduce your speed so that you can stop if you actually have to.

The problem that you face in a lot of these cases, especially with the comments that Kwei had been making on the information that is supplied to them on accident reports, just a few years ago they changed it so that not a whole lot of these accidents get — I hate that word — collisions or crashes get reported to the police.

SGI, the people go to SGI if the vehicle's driveable, if it's registered, if people have driver's licences, if it's not a hit and run, people are sober, those types of things. There's six things, and I think D, appendix D is a chunk of *The Traffic Safety Act* that shows those offences, those incidents that have to be reported to the police.

I find that really disturbing because how many times does a crash have to happen at an intersection before somebody goes out and sees that there's a tree branch hanging in front of the frigging stop sign? You know, it can happen time after time after time and nobody goes out. The police . . . Now as a private consultant, I end up going to small claims court and to the Highway Traffic Board, assisting people that feel that they've been wrongly dealt with by the adjusters at SGI because they've been found 50 per cent or more at fault. And they're losing points and they said, it wasn't my fault.

So anyway, those types of things have really increased and consequently you've got an adjuster with minimal experience who is being told what the driver wants them to know; might not be . . . because any driver and anybody in this room is likely going to do the same thing, try and paint as good a picture for yourself as is possible without stretching across the line and not telling the truth. You know, what is going to make you look least at fault.

So anyway, in dealing with an adjuster who has not had the opportunity to travel to a crash scene, they have to form their opinion on fault from what the drivers tell them. And, whereas the police who are going to the scene are an unbiased third party who can observe the circumstance, take a look at what's there, and come up with a much better decision on who actually is at fault.

But anyway, and the stopping distance I think is something that is extremely important when dealing with traffic crashes and it's not in TAIS [traffic accident information system] because the police aren't reporting them to TAIS anymore. You know, it's the adjusters that end up getting it, reporting it to TAIS.

The importance of enforcement is so strong. The point system, if you're found at fault for a crash, it's six points. If you get

charged by the police for being at fault, it's more points, depending on what the type of offence is. So a person is getting off very easily. And I've seen vehicles since I left the force that were borderlined, you know, 100 per cent writeoffs but they were drivable, didn't have to be towed away. And if a vehicle has to be towed away from a crash scene, then it's a reportable crash. But if she'll start and those wheels will turn — maybe one isn't turning, but you can still get her going — you can drive away from the scene. So now it's just your word against the other driver, which makes it really difficult.

Speed management is a real issue. I have been down to the States now for about five winters differing lengths of time, but wherever you go, there are signs that commercial trucks have a different speed to the rest of them. It takes commercial trucks a lot longer to stop than it does the regular motor vehicles, cars or small trucks.

[14:15]

When I was involved in collision investigation, I attended about 2,500 crash scenes, 550 that were fatal crashes and about 850 serious injury crashes. Most of the time the outward appearance was that the commercial vehicle that was involved was not at fault. But I was seeing time after time after time, there was no evasive action taken by these guys either. But that is an experienced eye looking at it as opposed to the on-scene accident investigator with six months or a year or two years traffic experience — people thinking that the speed limit out there is 110 kilometres an hour; I can do that any time, you know, without thinking that hey, you have to be able to control your vehicle should you have to take evasive action for something.

Another reason for that stopping distance chart: to give you an idea what the difference is between frost coming out of the roadway, which can change from the time you leave home in the morning until you get to work. You know, the frost . . . The sun's just coming up. It's one of those days when the temperature rises to a point and frost starts collecting on the surface of the roadway, and it wasn't slippery when you left home but sure as heck is when you try to take evasive action. So speed enforcement is really necessary.

Good example. I ended up in court as an expert witness — and I've been qualified 100 times in different courts in Saskatchewan as an expert witness on driver strategies and tactics and stopping distances from marks on the roadway, that type of thing — where a police vehicle was travelling along the roadway during a horrible storm at 70 kilometres an hour and got passed by a vehicle doing 105. As it turned out, he had an onboard video camera in the police car so you could see this car go past, and it ended up he clocked it at 105. And then it took about a half a kilometre for the vehicle to stop because you could see in the mirror or in the video on it, the guy's having all kinds of trouble. He can't get traction. So it took a long ways to stop. Had he had to avoid something, there's absolutely no way he could have done it. So it ended up at 105 kilometres an hour in 110-kilometre speed zone, we convicted the fellow for dangerous driving. Now a passenger in the vehicle hadn't even realized that they'd passed a marked police car because it was storming so bad, but they still did it.

So those types of things need to be worked on by the police. And it's tough when there's a horrible storm out there. You don't want to be out creating more of a problem than there's already there. But you know, you can find places where there are gaps in the horrible weather conditions and you can set up some kind of enforcement and do something on it. It just takes a little bit of imagination. You know, we've seen in the media where they've had police officers dressed in construction outfit with a radar set or a laser speed gun or standing on a bridge watching people pass underneath it who aren't wearing their seat belts or are talking on their cellphones. It just takes a little bit of imagination and those types of things. You know, there could be a lot more of that if they wanted to. You know, it's just a case of convincing them that that's what needs to be done.

Big confusion with our orange zones, big confusion the way they're signed. And I wasn't here for the Department of Highways presentation yesterday. I should likely have stayed. But the orange sign with the 60 kilometres an hour on it is a standard sign that you slow down when passing highway workers or machinery. Well they've now gotten to put up regulatory signs which is black letters on a white background, which is an ordinary speed sign. You have to slow down. But then they go and they tack a little note underneath that says when passing traffic workers. Well that's totally confusing because if you look in the driver handbook, a regulatory sign is black letters on a white background and thou shalt not exceed that speed.

It's totally confusing and, you know, the incident down at Midale where a highway worker was killed, the road signs started 10 kilometres from where the incident occurred. Well the Saskatchewan signage manual says four and a half. It's much less, much less than half that distance. So you know, if I was driving in there, I'd be getting upset. You know, there's no passing, the signs, and the person in front of you is doing the 60 kilometres an hour, and there's nothing there. I think I'd have been passing him too. So you know, to try and prevent those types of confusing situations, there has to be a standardized situation.

On a better note, on Easter Sunday I had occasion to come through the Qu'Appelle Valley from the north and there was my sign — the diamond orange with the black letters. But it was where they're replacing the bridge and there was nobody in the speed zone at that time. I thought gosh, I wish I had my camera. So I went back the next morning and they were working in there. They'd changed the signs to the white sign with the black letters, you know. So it had been changed because they were back on the scene. However, the distance that those signs were set back from the actual construction site was right on, just perfect. One down at Midale is a moving site. The signs need to be moved along with it, and they weren't. So something like that certainly needs to be watched a little more closely.

I tossed this one in there after I sat through the SGI presentation yesterday and listened to the frustration that SGI has experienced on trying to reduce these crashes where there's a high incidence of wildlife. I know nobody is going to like it, but maybe they've got to reduce speed at night so people can see a little better. Most of these bad crashes are happening at night. Rarely are they happening in the daytime because people can

see them.

We are all guilty of over-driving our headlights at night. You exceed . . . You drive 100 kilometres an hour at night with low-beam headlights on: if there's an object that's not lit up on the highway, boy good luck if you're going to miss it. Me included. We've just been lucky. We have been lucky that we weren't in a situation where there was something there that we had to avoid. So you know, it's not a popular thing, but when you can reduce death and injury, maybe it's something that needs to be looked at.

In order to get your vehicle stopped, you have to detect a problem. You have to identify it as a problem, decide what the evasive action is, and then actually do it. That is before you get your foot to the brake pedal or before you start steering. At 100 K you've just gone 42 metres. If you're having trouble seeing, add another 28 metres to that. Well you just ran over whatever was on the highway. So it's, you know, and they . . . You have to allow yourself time to make those decisions. At the 100 kilometres an hour on bare pavement, you're looking at another 56 metres to get your vehicle to a stop on full braking. So anyway, you add a little bit of snow or a little bit of frost to that, and you've caused yourself more grief.

Seat belt enforcement. It's not popular with the police. They know its value but when you're looking at a \$280 fine and you're looking at a family, you're creating a real hardship by adding another \$280 to their budget, or taking \$280 more out of their budget. My job when I was going around talking to the RCMP members in 2001 was to try and convince them to put that out of their mind. They had to realize that they were possibly saving a life if that vehicle was ever involved in a crash. I was at crashes where an unrestrained person killed another person in the car. So you know, those are not just videos with dummies in them that you see on television. It happens in real life situations.

So seat belts, you know, it's not a popular thing with police because of that. So they have to be trained. It's not a popular thing with the violators either because, I was just driving two doors down to the restaurant from the post office and I always wear my seat belt. Well unfortunately, when the police checked them, they weren't wearing their seat belt. So you know, that's basically why the seat belt stuff isn't popular. However, it's been in existence since 1977, almost 40 years. People should know by now that they have to wear them if they're riding in a vehicle. If they develop the habit, there'll likely be no problem. But it's getting in that habit that, every time you get in a vehicle, you put your seat belt on.

In trying to convince the police that this is the area they can make the biggest difference — they're never going to stop someone from stabbing another person with a knife or shooting them with a gun — but if you can keep people inside the vehicle when it's involved in a traffic crash, you've sure got a good chance of saving their life in that way.

So that is the area, the way it needs to be focused on to try and get the police doing enforcement and getting people, the potential violators that are never a violator because they always wear their seat belts, to do it up every time, as soon as they get . . . even if they're driving across the farmyard or, you know,

backing out of the driveway to put their car on the street. Do your seat belt up. Get into the habit.

There's also the possibility when this morning or, just prior to me going on, when Murray Sawatsky was talking about the ignition interlock and the fact that they can't start a car until they've submitted a sample of their breath. Why can they start a car without doing their seat belts up? That has to be easy. It's in the electronic system now. The car knows whether the driver and front seat passenger are wearing their seat belts. They know the seat position of the driver. Why do they allow the car to start up without people doing their seat belt up first? You have to put your foot on the brake to start it, or put it in gear. In a lot of cases, the cars now with the push button, you have to put your foot on the brake before you can start the darned car. You know, do the seat belt up before the car starts.

Highway design. This is one that's stuck with me for a number of years now because I made a recommendation at one point and it was thought to be ridiculous. Prior to stop signs or street lights within the city, painting the yellow lines so that at the legal speed a driver would have two and a half seconds to see something, detect it as a problem, not necessarily stop, but at least they're going a speed that they could take some kind of evasive action, two and a half seconds.

I just tossed some figures out here. At 50 kilometres an hour that amounts to about 35 metres from the . . . prior to the entrance into the intersection. They need about 35 to stop. So if someone is in that yellow area, it's safe for them to pass through. The law says that if there's an amber light there, and it carries the same penalty as if you drive through the red light, is that you have to stop if it's possible, if it's safe to do so. So painting those yellow lines would do two things. They would allow the driver who's driving down the road, if they have reached those things, I can go through. It would allow the police, that if they see a vehicle in those, in that area, they can go through. If they haven't reached that area, charge them. Because they could have stopped.

And they go and they end up putting the lights up to warn people. Well that's got to be a lot more expensive than painting some paint on the highway, you know, and to me that's a win-win, where the police are able to use something in court and the public is able to use something to know that hey, I'm in that area; I can continue on through. Benefits to the driver, benefits to the police.

It was mentioned yesterday by SGI that one of the things they considered was lengthening the time of the amber light. People, and more people are just going to drive through because they know it's not going to . . . They've got an extra second, or they got an extra half a second, and then somebody who is jumping the red is going to get schmucked.

I think that is a mistake to extend that, because it was . . . There was even a suggestion at one time that there's a part of a second or about a second hesitation from when the amber goes out and the red comes on. So you know, that to me is, you extend that gap or you extend the length of the amber light, and you're just going to have more people trying to run it when it's already an offence. Why extend the length of it to create a situation where more people are going to be violators out there?

Driver ed, there is an awful lot of traffic crashes that are occurring out there because when someone takes their eyes off the road to do their shoulder check, the vehicle in front makes a sudden stop, and bang. You've got a rear-end crash. Person in the back is the one, in the rear is the one at fault. And so it causes all kinds of problems.

[14:30]

A few years ago Gary Magwood, who is the chief driving instructor for the Labatt's road scholarship program, did a presentation at the SGI industrial conference. And as it turned out, I did one and then he did one right after me. So I was really happy for that because he was a lot more flexible at doing his presentation than I was doing mine. But anyway I had the opportunity to sit through his, and he got talking about this exact problem. Now what you do . . . there's a whole bunch of win-win, win-win. And SGI, one of their little driver safety blurbs that they have in the paper one day, they did endorse this. However in order to pass the driver examination, you have to shoulder check. So they were really hesitant about really promoting it because the driver examination thing was still sticking with, you have to shoulder check when changing lanes or whatever.

But anyway, what this does is increases the use of your mirrors. Along with this is another thing that I'm going to talk about in a minute, but monologuing. And I think some of the driver ed instructors are using this now, but I don't know whether it's a blanket situation. But anyway with the mirror situation, set your . . . Now you can only do this if you do have a rear-view mirror inside your vehicle. If you're driving a truck or if you've got a cargo in the back that you can't see out the back because of obstruction, you set your rear-view mirror so you've got an even look at the road right behind you.

Set your outside mirrors so you're looking down the lanes beside you. You know, you have to go like that to see the back corner of your car. As Gary Magwood said, wherever you go, it's going to follow you wherever you go. And the only time that there's a concern is if you happen to be stopped on a stoplight and someone on a bicycle rides up. That's the only time because they're so small; anybody else you're going to see.

So anyway, you set your mirrors so that you're looking down the lanes beside you. You have to go out and practice this in a multi-lane roadway and allow people to pass you so you see when they leave the view in the rear-view mirror. Oh, there they are in the side-view. And the thing is if they're not in the side-view, by looking at that you can see them. They've already passed the mirror. They're right beside you. You don't have to turn your head in order . . . and take your eyes off the roadway in front of you.

So you have to have proper adjustment, proper use. You've got to do some practising. Benefits? Benefits are many. You're keeping your eyes on the road ahead of you where they should be. Should somebody do something while you're checking, you'll see it out of the corner of your eye because your peripheral vision is sufficient. Night time, a win-win. You're driving down the roadway, the rear-view mirror, lights in the rear-view mirror are bothering you. You flip that on to night.

Now if the lights show up in either side view, somebody's passing you. You know right away what the cause is and you're alerted to it. Aging process, can't turn your head quite like you used to, and it's hard to teach an old dog new tricks. So you know, it's . . . The benefit is there if you start early. There's no need for you to have your head on a real swivel so you can look around behind you, if you work at using your mirrors properly.

In driver's ed, everybody, new drivers especially, need to have a good understanding of the mathematics of stopping distance, how the perception/reaction distance is the only thing that a driver controls. Once you slam the brakes on, it doesn't matter whether it's you, me, or Mario Andretti; physics takes over and it's friction between the roadway and your car tires. So anyway, the faster you go, the less time that you allow yourself to make decisions and the bigger the bang when you hit somebody.

So anyway, that chart is something that, you know . . . And just a little bit further on the chart, underneath each of the different surfaces there is a distance. That is the skid distance on there. Over on the right-hand side there's a velocity. That's how fast at that speed you're advancing down the roadway every second. Then on the right-hand column is perception/reaction. A normal, sober, rested person on a sunny day takes about a second and a half to see something, identify it as a problem, decide what to do, and then actually start to do it. Well, that's the distance that you would go during that perception/reaction time. So you add the perception/reaction to the skid distance for the total stopping distance. At 100 kilometres an hour it's about 98 metres on bare, dry pavement.

So they need a good understanding that if road conditions deteriorate either because of visibility or because of the condition of the road surface, you have to slow down. You have to slow down. Another problem that they face in there is that if visibility is poor then for every extra second they advance that much further down the roadway. So how far can you see? How long is the . . . In a highway consisting of a centre line that's broken, how long is the solid part of the line? It's a little over four metres. The gap is eight metres. So from the start of one to the start of the next is 12 metres. Now, you fix on the farthest one you can see away, and then you're still looking down the roadway, and as they disappear in front of your car, you count them. If you can see five, well that's only about 60 metres. You need 100 metres to stop; you'd best slow down. That's a great way of being able to determine distance. If you're on gravel, obviously you're in a bit of a bind. But it's just a little something that can really help people.

Now this monologuing or descriptive driving, it's while you're driving down the roadway you talk about things you see. What you are doing is increasing your powers of observation and perception. You want to be able to see everything. After a while you realize you've talked about everything in front of you. Oh, got a mirror there. Start talking about things behind while you're still watching the roadway because you've got to. And you talk about things along the side of the road. You're talking about what you're seeing in your side-view mirrors. After you do this for a while, you don't need to talk about it anymore. You've formed some habits where you're being really observant. You're coming up to an uncontrolled intersection, and without any need, you're going to look both ways. You're coming up to a railroad tracks with no signals; you're going to

look both ways. Little things to think about.

Some areas that I have concern about, I think I've already talked a bit about the reporting because the adjusters are now determining fault when they're never having . . . You know, a good question was put to Kwei yesterday about what do these sections mean. Well I'm sure that 90 per cent of the people, unless they had an intersection crash, are going to say well, it's somewhere between here and Lumsden. That's a pretty big area. How can you focus on whether there's a roadway design problem or something else when you've got that big of an area? And that's a big part of that is the police not attending these scenes anymore. The adjuster who is listening to someone tell them what they think caused the crash when they're trying to paint as good a picture as they possibly can for themselves, and then the adjuster putting down on the report what they think the crash is. And that's why so many times it's undetermined, because they can't determine which driver was at fault. So they say, well you're both 50/50.

In 2010 the Highway Traffic Board listened to 4,000 hearings of people that thought they, you know, were trying to get their points back because they thought they were unfairly dealt with. Tremendous amount of time. Normally the instructions that you get are you're supposed to take it to small claims court to try and recover your deductible first and then go to the Highway Traffic Board. So if all those people went to small claims court first, the burden on the small claims court because someone who doesn't know what they're doing is making a decision on fault makes . . . You know, you think if that money could be put to resources out on the roadway, I think it would really be a plus for everybody involved.

A big thorn in my side is these right-hand-drive vehicles. You know, you just imagine you've got the two of them going in opposite directions. They're both following other vehicles that they want to pass. In order to check to see whether it's safe, they have to put almost their entire frigging car out in the danger zone. You get two of those and it's whack, whack, passenger side to passenger . . . well, yes, passenger side to passenger side. I think that's got to be the most dangerous thing going. Really against it. But anyway, this is a traffic safety thing so that I thought, well, I'm going to mention that.

The raised vehicles, the ones you need a stepladder to get into. The manufacturers spend millions and millions making these vehicles safe and somebody gets a hold of them and, to make them look nice, jack them way up in the air. Centre of mass on those types of vehicles is so high that it doesn't take a lot for them to roll over. They have to be, the drivers have to be really, really cautious on taking fast, evasive action that they don't roll their vehicle right on top of the roadway. Really dangerous vehicles. And I think those . . . I have no idea whether there's any statistics on the incidence of crashes or collisions involving either one of these vehicles, but it's just the potential is certainly there. And I think you can appreciate that.

View obstructions on the mirrors. There is an offence under *The Traffic Safety Act* to have anything that's going to cause a view obstruction in the driving compartment. But some of these, they're not really big, but when you start, as a collision reconstructionist, I start looking at a scene where, at an uncontrolled intersection, two vehicles just happen to meet. I

know that if a person doesn't make an effort to turn their head and look down, there's situations. Transport Canada has theorized that if an object doesn't cross your field of vision, there's a good chance if you're not looking for it, you won't see it. They don't have to be approaching the intersection at the same rate, however the object, both vehicles sit in the opposite driver's eye at the same spot without crossing their field of vision so they go unnoticed.

These little things hanging from the rear-view mirror, that's enough of a movement to distract them from seeing something that they should see out there. So I really think that those types of things, those things will go unnoticed at a crash scene by 99 per cent of the people. But if you take a look at it from a collision investigator's perspective, there's certainly potential out there for real serious problems occurring.

Factory-installed GPSs. It's an offence to have a television in an area where the driver can see it. This is as much a television as anything, in order to check and see where you should be going on the factory-installed ones. The portable ones, I have no problem with because you can set them up on your dash area where the only thing beyond them is road. They're not interfering. They're not obstructing with your vision at all and you can see them and still maintain your eyes on the road ahead. But you can't on these ones that are built into your dash. It's like looking at your radio to change stations, and can be a real problem.

Police exemption from cellphone use. Now police have, a lot of them have computers in their cars. They've all got radios in the car. It says that they can use a cellphone when it's in line with their duty. But I'm sure that every one of them is going to say that it was in line with my duty but, as soon as they're talking on their cellphone and holding it up in their hand, they are a distracted driver. And I've seen them all over the roadway. But the law allows them to use it. And I think that it was a mistake. They've got a radio in there. They've got a computer in there, which are both distractions in themselves. However, I think too it makes it really tough for the public to see the police using those things and they can't. I think in all fairness the police are supposed to be setting some kind of an example, and they're not doing a good job in this particular area.

Tinted windows. Another thing, they should be totally outlawed. We don't have a hot enough summer here for tinted windows to be that beneficial, as far as keeping the temperature down. However, when trying to drive defensively and establish eye contact with the other driver, it's not possible because you can't see the other driver. A real problem. So it's one of those things where now they're saying that tinted windows are allowed, provided tinting was installed by the manufacturer at the time the vehicle was constructed. But there needs to be a limitation on the tinting so it doesn't interfere with safe driving practices.

That was the extent of my presentation. I thank you very much. If you've got any questions . . .

I had my bubble kind of burst here because when I was listening to some of the conversations that were taking place both yesterday and today, and Murray Sawatsky talking about this person talking on the cellphone and getting stopped and

continued talking on the cellphone and said, give me my ticket and let me get going. I said, seize the vehicle. You can seize a vehicle for anything, any offence under *The Traffic Safety Act*. And now I find out you can't do it anymore.

So anyway that's really unfortunate because that was . . . You know, you need something to prevent a continuation of the offence. And it's unfortunate that if it did get abused, it's really unfortunate because that was, for something like this, that was demonstrating a horrible attitude. And that's a big problem with bad driving, with high-risk drivers, is the bad attitude. And that guy was just demonstrating as bad an attitude as you could get.

[14:45]

The Deputy Chair: — Well thank you, Mr. Klatt, for that very informative presentation, and very good to hear from someone who was on the front lines of policing for many years and continues to do accident investigation and consulting. But questions? I think Mr. Parent has a question.

Mr. Parent: — I have a few. Back to the enforcement challenge from page 2, which was probably your fourth slide, you talked about 59 officers and that they're not all filled positions. And you also said that you feel like they need more.

Mr. Klatt: — Absolutely. But the thing is, like the upper management of the police have always used traffic as the crutch. Back in 20 or 25 years ago, they'd go to SGI and say, we need more bodies. If you don't give us more bodies, we have to take our traffic people to fill these other positions. And they would.

But traffic historically pays for itself so, you know, you're shooting yourself in the foot without putting bodies out there because they . . . You know, yesterday there was a comment on the two hundred and somebody was multiplying out the \$280 by the number of seat belt offences or the number of cellphone offences, and it was coming out to in excess of a million bucks. That covers a few policemen.

So you know, now it's a little bit different with the mounted police in particular. I can only speak that way for the mounted police because everybody on traffic is supposed to be doing traffic. It looks nice on paper, but that's not what's happening when you have an inspector in charge, two staff sergeants, a sergeant, and four corporals, and that's all that are office-bound people. There are sergeants and corporals working different traffic services units, whether it's in Broadview, Weyburn, Yorkton, P.A. [Prince Albert], Saskatoon, North Battleford, and Swift Current, and there might be one or two somewhere else. But when you've got them sitting there, obviously there's a senior NCO [non-commissioned officer], a corporal or a sergeant in those places as well. They do get out on the road; however, their job is to administer the unit and do evaluations on the members involved.

Mr. Parent: — So you feel that utilization of the RCMP is not always where it should be?

Mr. Klatt: — No, and a big part of that — I can say it now, I've been out for 10 years — a big part of it is just the attitude and the emphasis that they place on . . . And you know, the

other units are important. Doing the major crimes the way they've got it set up now, where a couple of people used to do the investigation, now there's a whole cluster of them that go out. And everybody, you know, they've got things developed into a real science as to how an investigation is completed. But I'm suggesting that there might not be a requirement for that many people to be in those specialized units if they put more out on the roadways, such as the people in Peoria, Illinois did.

Mr. Parent: — On the same topic, you had said about combining firefighters and police, etc. What about those groups . . . think of a joint firefighter-police position from their perspective of, you know, from like each group?

Mr. Klatt: — I'm sure that you'd have some difficulty with the unions. However if it were phased in, it might be a little easier, you know, as a requirement that you join the fire department is that you agree to work, when you're not called out to a fire or you don't have training to do as a firefighter, to work as a police officer, you know. And realize that hey, from a member, a citizen of the community realizing that now that you don't have to pay somebody to sleep, you know.

But I'm sure that this is going to be a little difficult in that some of these guys have, especially the guys that have been in it for a long time, they're doing other things and they need the sleep when they come to work. But you know, yes, you know, but if it was phased in, you know, so that any new bodies coming in . . . You know, there's a real big thing on occupational health and safety and the police officers not ride by themselves during high-risk times. There's a person that can ride along with them and be that second set of eyes and a potential backup . . .

Mr. Parent: — So basically though I think where you'd get a lot of . . . after, like once you get . . . If you did implement something like that, would be the dual trade, so to speak, in costing.

Mr. Klatt: — And when they got to a certain level where they could specialize or they go from being just your general duty firefighter to a driver or something like that, well then you've graduated out of your police position. And you know, the police would be the ones that would suffer because you don't have the body anymore. But normally when that person graduates into another position, there's another one at the bottom to be filled. So the potential was there, and I could see a lot of them really enjoy, especially somebody new into it, you know. They're getting the best of both worlds. They want to be a firefighter and they're able to do that, but they enjoy the excitement of being a police officer as well. And certainly for any cities that has both departments, to me that would be a real advantage.

The Chair: — Okay. Anyone else have any questions though? Ms. Chartier, do you have any questions? Did you have more, Roger? Okay. Well go ahead, Roger. You can finish up.

Mr. Parent: — You were talking about the highway design with the solid line prior to the intersection. When I took driver training, that's what we learned: that if you weren't in that solid line when the light turned amber, stop. But the problem you get in Saskatchewan is snow, and you can't see it in the winter.

Mr. Klatt: — Yes.

Mr. Parent: — And that's where I see a problem with it, and I always did.

Mr. Klatt: — But when you could see it, it would be a real advantage. And right now if there's no lights advising you that there's going to be a change of the lights in a certain amount of time that you have to stop, you don't have that opportunity.

Mr. Parent: — Yes. And another more of a comment than anything else, and see if I'm correct on it. Most people don't understand how to set their side mirrors because . . . My understanding is what I was taught is you lean over and you adjust it until you can't see the side of your vehicle. And same with this side, so that it's actually out a bit so it's completely in that lane instead of looking at the side of your car.

Mr. Klatt: — Well the way Gary Magwood . . . That was the first time that I'd ever heard this proposal. He said, sitting there without moving at all, you move your mirror until you have to lean sideways a little bit in order to see the back of your car. You don't want to create a large dead space in there that you can't see so that you have to look over just to see the back of your car. Then you know that, as vehicles are coming up on the side, you really don't have to pay much attention to your side mirror until you know that they disappeared from the back mirror. Then you can see where they are in the side mirror. And if they've disappeared in the side mirror when you look in the side mirror, oh there they are, right beside you.

So there are so many win-win situations on that type of thing. But until they change the driver ed rules, the new drivers have to shoulder check until they pass the driver's test.

Mr. Parent: — And another one, one of the things that I have never liked and you've commented on was right-hand-driver vehicles?

Mr. Klatt: — Yes.

Mr. Parent: — I hate that.

Mr. Klatt: — To me, that's extremely dangerous, extremely dangerous.

Mr. Parent: — And with that, that's all I have for questions.

The Chair: — Right. Thank you. Ms. Chartier, do you have a question?

Ms. Chartier: — I do. I do. I've got a couple of questions here, I think. So one of your recommendations then, when you highlight an area of concern . . . what you called a recommendation. When you're talking about crash and collision reporting and police officers not going out to the scene and referencing *The Traffic Safety Act*, obviously, would it be your preference then, are you recommending that police officers . . . that that change? That police officers actually attend accident scenes now?

Mr. Klatt: — I think they're not doing a service to their client by not going out there. However they're saying that they don't have the bodies to be able to attend every crash scene that gets called in. From the end that I see, talking to the people that have

been involved in traffic crashes, if an unbiased third party would have come out, they wouldn't have been inconvenienced to the point where they have to go to small claims court to prove themselves innocent, then argue with the Highway Traffic Board to get their points back. And you know, it's a small thing, but there's an awful lot of people that are in that exact boat.

Ms. Chartier: — Okay. Thank you very much.

The Chair: — Okay. Mr. Vermette.

Mr. Vermette: — Thank you. I just want to get your . . . I think everyone else has kind of given . . . We've given the opportunity. And you talking about young people, and I mean you haven't talked a lot about probationary drivers and whatever age we've looked at and zero tolerance when it comes to alcohol, whether they're . . . Some are saying 19. Some are saying 20, 21. There's different ones in the province and everything else. Do you have anything, as your consultant firm that you have, in talking to people, investigating certain things . . . You've given presentations. Do you have your own views on that? Is that something that you would support saying, that if a young person's ever caught with any amount of alcohol, we seize their vehicles or seize their driver's licence, whatever? Do you have any ideas on that that would help facilitate I guess less fatalities on our roads?

Mr. Klatt: — I think that's a great opportunity to teach people that they should not be combining alcohol and the operation of a motor vehicle. I'm not sure that I agree with lowering the chargeable limit. Right now it's at 80 milligrams. I'm not sure whether a 24-hour suspension is 40 or 50 — .04?

You know, there's a lot that goes along with that point zero — the 24-hour suspension — that didn't when they first brought it out. When they brought it out, if you got a 24-hour suspension, you just didn't drive for 24 hours. If you didn't drive for 24 hours, there was no points or anything. Now you've got to attend some screening and stuff like that. So things have changed there as well.

When I was on the breathalyzer course, you have the opportunity to be a drinking subject and everything that you consume is measured by someone who is not a drinking subject. And it's not measured in shot glasses. It's measured in graduated cylinders. So they know exactly how much you've had to consume. You're given 50 minutes to drink on an empty stomach. While everybody else goes for lunch, you start drinking.

And in the 50 minutes — I was about 225 pounds at the time — I consumed 12 ounces of rye whiskey. Blitzed. Absolutely no way I would consider driving a motor vehicle. However, the people came back from lunch and you start blowing in the instruments and going from breathalyzer to breathalyzer to breathalyzer to breathalyzer. The highest I blew was 90. I quit feeling sorry for people that blew 150 or 200. They have had a lot of booze.

So to lower it, you know, if the police are able to detect people out there . . . And I was quite shocked when I heard that 5,700 out of 9,000 RID complaints, weren't followed up on. Those are

potential gimmies they could have picked up, gotten 5,000 more people off the highway that are a danger to the motoring public.

And you know, it's tough to have a program like that and then not be able to follow up on the calls that come in. If the public finds out about it, they're going to quit calling in. Why call in? They're not following up on things. So to me, it's a great program, but it is one that really has to be taken advantage of in order to keep it effective so people will continue calling in.

[15:00]

The Chair: — Ms. Chartier.

Mr. Klatt: — Those are personal opinions.

The Chair: — Okay. Ms. Chartier.

Ms. Chartier: — I'd like to ask you your personal opinion on something else. Obviously you talked a little bit about the changes to section 280 where impoundment becomes much more difficult sort of across a broad swath of infractions that police come across.

But we've heard a lot about BC and Alberta, other jurisdictions who with .08 or actually not .08, with administrative penalties .05, .05 are impounding vehicles. I'm wondering, I got the impression that you thought vehicle impoundment when something was necessary was a good tool. So I'm just taking that to impaired driving here. Are you familiar with what Alberta and BC are doing?

Mr. Klatt: — No, I'm not. In fact if there's been something recently changed in Saskatchewan . . . I was around when vehicle impounds were first brought in here in Saskatchewan and the suspension of the driver's licence and given a week to get their affairs in order before their 90-day suspension started in.

Ms. Chartier: — So this section 280 just changed last week actually. So what I'm wondering, obviously we've gotten rid of the broad swath for impoundment, but how do you feel about impoundment for such things like impaired driving?

Mr. Klatt: — Really tough. For if it's the individual's motor vehicle and they are the one that's going to suffer as a result, that's one thing, but quite often there's a family or the vehicle belongs to someone else and creates a lot of headaches that you have difficulty justifying.

But it certainly is a great tool, especially in situations where . . . Like a big part of the police officer's job is to prevent a continuation of the offence, and that's where those types of things are a real advantage. When you can yard their vehicle away from there, they can't drive anymore. However you have to realize if they're way out in the middle of nowhere and it's 30 below, you've got to get them back to someplace where they aren't going to freeze to death, and you can't take them out by the pump house.

Ms. Chartier: — I think the interesting thing about BC and Alberta, it's a three-day impoundment, so you can't get through a weekend anymore. If it was your mom's car or your partner's

car, you can't tell them that you've left it at the bar overnight. So it has served as a very good deterrent, so we're told. So they have used it when it's not just your own vehicle. But they found that it's rapidly reduced impaired driving in BC in particular.

Mr. Klatt: — Without a doubt, absolutely. Where you run into . . . Well you don't run into those problems anymore really here because at one time when I was stationed down at Weyburn, we had students coming up from the States, and they could get a driver's licence when they're 15 down there. Well at that time if they were under 16, you couldn't charge anybody. So the only thing we could do when they were burning their donuts was seize their car. And when a car was seized, the towing company is normally closed on the weekends, so if you seized it on Friday night, they didn't get it back until Monday morning. And that was a real good tool for that type of situation. But if you have to leave the vehicle with them, the potential certainly is for them to continue the offence that you're trying to, you know, prevent.

Ms. Chartier: — Thank you very much for that.

The Chair: — Seeing any more questions from the committee members? No more? Thank you, Mr. Klatt. It was a great presentation, very informative as well. And I understood what you were saying through a lot of it because of my days in policing too, so thank you for your opinions. We appreciate that.

Mr. Klatt: — Thank you very much.

The Chair: — The committee will now need a motion of adjournment. Mr. Parent. All in favour?

Some Members: — Agreed.

The Chair: — So done.

[The committee adjourned at 15:04.]