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—
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The Honourable Roger Gallaway

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• (1535)

[English]

The Chair (Hon. Roger Gallaway (Sarnia—Lambton, Lib.)): I call the meeting to order.

We welcome back Mr. McDonald, and Mr. Roussel, welcome.

This is a briefing session with respect to the small vessel monitoring and inspection program.

Mr. McDonald, if you want to proceed, please do so.

Mr. Gerard McDonald (Director General, Marine Safety, Department of Transport): Thank you, Mr. Chairman. My apologies if we kept the committee waiting at all. We got a little hung up at security.

We were last here on April 20, when we answered a number of issues with respect to our small commercial vessel program. Since that date, we have had a session of our Canadian marine advisory council and a meeting of our marine safety executive committee. I just wanted to bring the committee up to date on the latest thinking with respect to our proposals with respect to small vessel operator competency, which I had spoken of at our meeting on April 20.

At that time, we were talking about proposing, in our regulations, a potential one-day course for a small commercial vessel operator proficiency certification, as it were. Since that time, as I said, we've had a meeting of our Canadian marine advisory council, which is our main consultation body with the industry. Our thinking now with respect to smaller commercial vessels—we're talking about those vessels less than eight metres and carrying six passengers or less—is that we would consider an equivalency with the current pleasure craft operator proficiency card, which is now available to people who operate pleasure craft.

Again, these proposals are in the consultation stage, so they're still a bit fluid. I just wanted to bring the committee up to speed on our current thinking in that regard.

We have no other prepared statement, Mr. Chairman. We had made a statement the last time we were here. We were told that you had some further questions for us, and we'd certainly be more than happy to answer, to the best of our ability, any questions you may have.

The Chair: Okay, questions.

Mr. Gouk, do you have any questions?

Mr. Jim Gouk (British Columbia Southern Interior, CPC): Not at this time. Something might arise later on.

My colleague will be here any second, and he'll probably have something.

[Translation]

The Chair: Do you have any questions, Mr. Carrier?

Mr. Robert Carrier (Alfred-Pellan, BQ): Not really.

[English]

The Chair: Mr. Bonin.

Mr. Raymond Bonin (Nickel Belt, Lib.): I guess I could make up a question.

Voices: Oh, oh!

Mr. Raymond Bonin: I'm not going to make these people go through security for nothing.

I did my testing, and the course was very informative. It's worthwhile. The only little problem I have with the system is that giving the licence to issue licences, if you wish, to anyone who had their course approved means that some people, like me, get their card at \$30. Others pay \$60, and others pay \$90. There's a big business out there of individuals getting rich, and usually it's the ones more involved in giving these courses who oppose all the legislation. They're getting rich on this stuff.

I don't know why we don't have a course on the Internet, allow people to give the test, period, and insist that they charge \$30. Usually it's the poorest, who are not connected, who end up having to take the long course, pay a fortune, and end up with the same licence I have.

That's the problem I have with the system. The information is very good, and I think it's a good idea to do it, but I don't like seeing some Canadians pay \$100 when others, like me, pay \$30.

Mr. Gerard McDonald: Fair enough. I'm actually glad you raised those points.

Although obviously we support the operator competency program we have in place, we're not about to say that it's a perfect program. We are in the process of redoing the regulations with respect to that program. We are actually moving more towards a concentration on the testing as opposed to the courses provided.

For example, we can do our quality control through the test that is administered, making sure that the test is administered, number one, in a proper fashion, with appropriate quality control measures; and ensuring that we can get from the testing providers an appropriate database of all those Canadians who have been issued the card.

So the regulations with respect to operator competency are being consulted upon as well. It is a system that we're trying to improve as we speak.

Mr. Raymond Bonin: Could we not ask your department to put the course on the Internet, or sell VHS tapes at \$5 each, just to get all the information to people for the least amount possible? People can learn it in groups and individually.

The problem is testing. There are some, especially in the smaller communities, who won't give you the test unless you take the course. It's not fair.

Mr. Gerard McDonald: In fact, all of the information contained in the tests are now available on the Internet. Basically, all the information you need to pass one of those tests is contained in our *Safe Boating Guide*, which is available to all Canadians and can be used to study for the test.

Mr. Raymond Bonin: Then we talk about the people in smaller communities who don't know how to reach all the information in bits and pieces. Why don't we have the course identified under...?

Is it Transport Canada that controls this?

• (1540)

Mr. Gerard McDonald: Yes, that's correct.

Mr. Raymond Bonin: We could say, "Go to Transport Canada, the course is on the Internet—and if you don't have a computer, come to my office and use mine."

It has to be very easily accessible and simple, and not written by bureaucrats. This has to be written for people who have an education level of grade 8, because these are the people who need these courses. We do have the information, but they don't have the skills to go looking for it. So I say, let's do it simple: sell a VHS for \$5, which is cheap. People can afford that. They can watch it with their children. Everybody learns.

Let's make it user-friendly, as we were supposed to, and then allow people to issue only the test and charge for that.

Mr. Gerard McDonald: We can certainly attempt to do that. Our goal, obviously, is to get more people familiar with boating safety information. That's really the ultimate goal, to make sure they're educated, so that they're protecting their own safety and the safety of the passengers they have with them.

Mr. Raymond Bonin: For the people who are giving the course, a good chunk of the money they charge goes to the Navy League, is it, or the boating association?

Mr. Gerard McDonald: It would depend on the organization.

Mr. Raymond Bonin: They're the ones who got the course approved.

Mr. Gerard McDonald: That's right.

Mr. Raymond Bonin: They're nowhere near northern Ontario, and they're getting a kickback on every individual who gets this licence. It makes no sense.

The Chair: Okay, Mr. Bonin.

Mr. Raymond Bonin: Thank you.

Did I make up a good one?

The Chair: Oh, very good.

Mr. Gouk.

Mr. Jim Gouk: I have just a couple of things.

First of all, I guess I'm going to have to look at this, because I live on the water. I had a couple of boats, which I sold, but I'm looking at buying another one. So I guess I'm going to have to do this.

Presumably you want everybody to take the course. But if a family has a boat and one person is licensed, are others able to operate the boat while that licensed person is in the boat, or does everybody have to have the course, to be legal?

Mr. Gerard McDonald: No, the operator of the boat would be the one expected to have the operator proficiency card.

Mr. Jim Gouk: So nobody else in the boat could use it unless they too had a licence.

Mr. Gerard McDonald: That's correct, yes.

Mr. Jim Gouk: Okay.

What happens in the case of all these rental outfits that have small boats they rent out, little recreational boats and that type of thing? What impact is this going to have, or is it indeed having, on their businesses? Will everybody who rents one of those boats, I would presume, have to have one of these certificates? Even if they're just putting around on the lake with the family, don't own a boat, and once they leave they're not going to rent a boat again, do they have to take a course in preparation for their holiday, in order to be able to use the boat while they're having their little holiday at the beach?

Mr. Gerard McDonald: That's been a concern for us as well, on how we work through that. We've have very good cooperation from the rental organizations in getting their buy-in on how we handle this issue. It's my understanding that most of these operators now will give a basic safety lesson to the people renting the boat. Should they not have an operator proficiency card, there will be a checklist they go through with respect to the operation of the boat and the safety procedures they will need to know.

Mr. Jim Gouk: Now you've left me more confused than ever. You're saying that as long as he goes over some good, basic rules with them, then even though they don't have a licence, they're okay to use the boat?

Mr. Gerard McDonald: That's the current practice. It's not a licence, don't forget; this is a proficiency card. There are certain issues that we want to make sure they are aware of. We don't want to close down the rental industry by—

Mr. Jim Gouk: I'm trying to determine, from the way you're answering me, that if I buy a small boat, to be legal, I have to have an operator's certificate. Is that correct?

Mr. Gerard McDonald: That's correct.

Mr. Jim Gouk: I'm contravening the act if I don't.

Mr. Gerard McDonald: That's correct.

Mr. Jim Gouk: So what about someone who's renting one of these boats? They've gone through the checklist, as you say, but they don't have an operator's certificate. Are they legal?

Mr. Gerard McDonald: We don't have a provision, per se, in the regulations to exempt them, but we have been allowing them to continue operating through this arrangement, by policy.

Mr. Jim Gouk: Do you have a policy in the department that people who are renting recreational vessels in these circumstances will not be charged?

• (1545)

Mr. Gerard McDonald: I'm not aware that we have charged anyone to date, certainly.

Mr. Jim Gouk: That isn't the question. The question is, do you have a policy that tells your officials not to charge people who are in rental vessels?

Mr. Gerard McDonald: I'm not aware that we have a specific policy in that regard, Victor...?

No, I guess we do not have a written policy in that regard. But it has not been our practice to charge people in that instance.

Mr. Jim Gouk: Legally, they are required to have this certificate?

Mr. Gerard McDonald: Yes, legally, under the regulations. They would be required. That would be my understanding, yes.

Mr. Jim Gouk: Okay. I appreciate that you're perhaps taking steps to ensure that we're not harming business, but by the same token, I'm alarmed that you haven't formalized it in some way to make some special provision, and that we're just doing it by ignoring the law. Even if it's a bad law, I hate to see it ignored. I'd rather it be rectified.

It seems that, at this point, what we're doing is fixing a potential problem by pretending a law doesn't exist, or by ignoring that law, as opposed to coming up with some provisions to deal with the actual problem.

Mr. Gerard McDonald: Fair enough. I would point out that the operator proficiency card is being introduced in a graduated fashion at this point. So at this point, it's only people born after 1983 who require an operator proficiency card, or those people operating vessels less than four metres in length.

Mr. Jim Gouk: Which is what a lot of the recreational boats are, probably.

Mr. Gerard McDonald: Certainly not the houseboats, which I assumed you were referring to.

Mr. Jim Gouk: I'm talking about the little bow-riders, the little putt-around-the-Okanagan-Lake type of thing.

Mr. Gerard McDonald: Yes.

Mr. Jim Gouk: Would Sea-Doos be covered under that as well?

Mr. Gerard McDonald: For all personal watercraft you now have to have an operator proficiency card.

Mr. Jim Gouk: Except when it's a rental business, in which case we kind of just pretend we don't see them.

Mr. Gerard McDonald: We have had a workaround up until this point, yes.

Mr. Jim Gouk: Fascinating.

Thank you.

The Chair: Mr. Karygiannis.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Thank you.

Good afternoon.

I would see this as being similar to auto vehicle rental when you go on holiday. When it comes to auto vehicle operation, you don't just decide that you want to go on holiday and then go out and get your licence in order to travel. You have a licence, so when you go and rent a vehicle, you already do have a driver's licence in order to be able to get out. With a boat, lo and behold, if somebody just goes out and rents a motorboat and doesn't know how to control it, and causes an accident, a life is a life; whether the accident happens in the water or on land, it's the same thing.

Can you give us an idea of whether anything is in the works for us to also reach out to the provinces and say, okay, we would like to work with you on a licence or an operator's card? You know, a driver's licence is something that's in Ontario, something that's in Quebec; are we looking at something along those lines? Or is this something that the transportation department wants to be in control of?

Mr. Gerard McDonald: No, not at all. In fact, we work very closely with enforcement agencies right across the country, because most of the enforcement that's done with respect to any pleasure craft would be done at the local level, either by municipal forces or provincial forces, or the RCMP. Obviously, we want to work very closely with them, in whatever we develop, to make sure that they're comfortable with what we have developed and that it is indeed something that can be enforced appropriately.

Hon. Jim Karygiannis: Have you had an opportunity to put an estimate on the cost of making sure that we have everybody's right address, and maintaining this? What would be the cost for the registration, overall? Have you costed it out? Have you got any plans?

Mr. Gerard McDonald: No, we haven't costed it out per se. The way the proficiency card program is structured, as Mr. Bonin pointed out, is that it is offered by private course providers. It is up to them to cost the program appropriately and to take care of all their administration.

So the cost to the federal department is relatively minor, and up until now has been restricted to the course approvals and the monitoring enforcement that we have ongoing.

• (1550)

Hon. Jim Karygiannis: I wasn't here for the beginning, so I do apologize, but perhaps you would recap for me how the transportation department would have a database of who is qualified and who isn't. Are you thinking of going along that way? For instance, if people called up to change their address, how would the administration be done?

Mr. Gerard McDonald: Yes, as I pointed out, that's one of the weaknesses we have with the current system, that we don't have a centralized database of all the people who have operator proficiency cards. This is something we'd like to rectify with the changes to the regulations that we're going to be proposing.

The way we would see it operating is that the course providers—or test providers, as we will ultimately be calling them—would be responsible for maintaining their respective databases for the people they've tested. They would then have to submit that information to the Department of Transport in a regular fashion. We would tell them what format to send it in, and then we could populate a national database in that regard.

Hon. Jim Karygiannis: Have you estimated the cost of maintaining and keeping, as well as starting, the database?

Mr. Gerard McDonald: I'm not sure that we have an estimate.

Donald.

Mr. Donald Roussel (Director, Marine Personnel Standards and Pilotage, Department of Transport): At the preliminary stage of the evaluation of the database, for this fiscal year, for example, we're looking at close to \$100,000 for the analysis, putting it together. We're looking at a database that would contain, by 2009, close to three million people. So it's a fairly large work undertaking.

Hon. Jim Karygiannis: What would be the yearly cost of maintaining and upgrading the database?

Mr. Donald Roussel: At this moment, our estimate is roughly the equivalent of \$50,000 a year for the department. That's at this moment; it will depend on when it's finally all up and running.

Hon. Jim Karygiannis: When do you estimate to have it up and running, and have concrete figures? I mean, I understand that \$100,000 and \$50,000 are preliminary figures, but at which point and stage in time do you estimate to have correct figures as well, to be able to give this committee solid numbers as to the cost of the database?

Mr. Donald Roussel: We should have the estimate of the overall costs by the end of March. That project is under way right at this moment.

Hon. Jim Karygiannis: In 2006?

Mr. Donald Roussel: In 2006, yes.

Hon. Jim Karygiannis: Between now and 2006, what would be the cost of maintaining as well as making sure the program runs?

Mr. Donald Roussel: We don't have any; there's no database as we speak. It's all held by the 76 course providers across the country.

Hon. Jim Karygiannis: And the preliminary work to pull this together?

Mr. Donald Roussel: It's \$100,000.

Hon. Jim Karygiannis: Okay, thank you.

The Chair: Mr. Scheer, do you have a question?

Mr. Andrew Scheer (Regina—Qu'Appelle, CPC): Jeremy is going to go first.

The Chair: Go ahead, please, Mr. Harrison.

Mr. Jeremy Harrison (Desnethé—Missinippi—Churchill River, CPC): Thank you very much, Mr. Chair.

I'm new to this committee, and glad to be here.

I'd like to just give some background to our witnesses. I represent the riding of Desnethé—Missinippi—Churchill River, which is all of northern Saskatchewan, about 58% of the province. Geographically,

we have a tremendous number of lakes, of course, and the population of my riding is about 50% aboriginal, many of whose livelihoods and any additional income come from outfitting, guiding, adventure tourism, things of this nature. They along with everybody else in the riding will be subject to these new regulations.

I have to tell you, people in my riding are very concerned that this is going to be something that will very negatively affect both their businesses and their way of life.

I just would like you to clarify, first, how much is the test that has to be taken?

Mr. Gerard McDonald: It depends on the course provider, but it varies between \$30 and \$90, I'm told.

Mr. Jeremy Harrison: The riding I represent is the poorest riding in the country, with the lowest average income of any riding in Canada. That may sound like a small amount of money, but for a lot of individuals in my riding, even that is a significant amount of money.

I'm wondering if there have been any studies or whether the department has any information on the potential economic impact of this, whether it be in northern Saskatchewan or more generally in Canada, and what kind of costs this will have for the industries affected.

Mr. Gerard McDonald: At the moment, no, but that obviously would be part of our regulatory impact analysis as we move to publishing a proposed regulation.

● (1555)

Mr. Jeremy Harrison: It seems to me that we have regulations and a plan, but there's been no assessment done on the economic impact these will have on individuals.

Mr. Gerard McDonald: We have to determine what exactly will be in the regulation before we can do the economic impact.

Mr. Jeremy Harrison: I have to admit, I find it somewhat strange that there's not even been consideration of the economic impact these are going to have, because I'll tell you, they're going to have very significant economic impact. I know that in my riding, it will have a very detrimental effect on the few industries we do have in northern Saskatchewan—adventure tourism and things of that nature. This is really going to have a significant impact on whether these businesses are able to expand or even whether they're going to be able to hire these individuals, many of whom, quite frankly, aren't very good with the language. Most of their first languages are Cree or Dene, in my riding. They don't have access to the Internet or to any of these things you spoke about whereby you'd be taking the test.

It seems to me there hasn't been a lot of consideration given to these areas of the country.

Mr. Gerard McDonald: We're trying to develop a regulation taking into account the concerns of all people who are going to be affected by it. I hear what you're saying with respect to the cost, but I would point out that this is a one-time expenditure to try to help make sure that people do know the basic rules of the road with respect to how to operate a vessel, to try to ensure that they're aware of some of the basic safety concerns we have with respect to vessel operation—

Mr. Jeremy Harrison: I'm sorry to interrupt, but quite frankly, many of these people have spent their entire lives on the water. They've grown up on the water, living traditional lifestyles, at one with this environment. They have nothing to learn from bureaucrats from Transport Canada, quite frankly. This is going to be a complete waste of time and a complete waste of money for these people.

You talk about how this will increase safety. Do you have any studies or data that these particular regulations are going to be effective in decreasing the amount of deaths, or anything of that nature?

Mr. Gerard McDonald: Specific studies? No, there's nothing I can point to. But we certainly do feel that education will help improve safety.

Mr. Jeremy Harrison: Quite frankly, it seems to me this hasn't been fully thought through. We have a situation where we have no idea of the economic impact this will have. We have no information that this will actually increase safety in any meaningful way. And yet we're moving forward with it anyway.

It seems to me that this is not well thought through. Quite frankly, I think the government should be doing their homework before they start bringing these things to committee and bringing forward these new rules that are going to have no demonstrable positive impact, and quite frankly could have a very negative impact.

The Chair: Mr. Carrier.

[*Translation*]

Mr. Robert Carrier: Good day.

As I understand it, in addition to certificates of competency, a subject that has been discussed at considerable length from the outset, the program also calls for the monitoring and inspection of the vessels as such.

Is that correct?

[*English*]

Mr. Gerard McDonald: Only with respect to small commercial vessels; we do not currently inspect pleasure craft, and we are not proposing that we inspect pleasure craft. For small commercial vessels, we do have a program of inspection, but that is limited to vessels that are larger than eight metres in length and that carry more than six passengers.

[*Translation*]

Mr. Robert Carrier: The most important component of the program as such is the requirement that all operators of pleasure craft have a competency card.

Is that correct?

[*English*]

Mr. Gerard McDonald: Yes. I should point out that with respect to pleasure craft right now, the requirement for an operator competency card is already in the regulations. What we have is a void, if you would, in the regulation, where for small commercial vessels there is not a requirement for any operator competency provision at the present time. But for a small pleasure craft, you are required to have an operator competency card. We feel that if there's a requirement for a demonstration of operator competency on the

pleasure craft side, then surely there should also be a minimal requirement for the demonstration of operator competency on the commercial side as well, since these people are making money off passengers that they may be carrying.

• (1600)

[*Translation*]

Mr. Robert Carrier: When exactly will this program be officially up and running?

[*English*]

Mr. Gerard McDonald: We're presently consulting on our proposed changes to the regulations. Our target is to have the regulations in place to coincide with the coming into force of the new Canada Shipping Act, 2001, which we presently have scheduled for November 2006.

[*Translation*]

Mr. Robert Carrier: Does the program distinguish between navigation on national waterways such as the St. Lawrence, and the operation of vessels on lakes? Does it make a difference, in terms of the licence issued?

[*English*]

Mr. Gerard McDonald: Yes. We define our vessels by what we call voyage classifications. Essentially, with the new regulations, there would be four voyage classifications: you would have most of the inland lakes and areas up to one mile offshore, and waters that have been designated as such to be called sheltered waters; then you have what is called a near coastal voyage 2, which is anything that is not sheltered waters but is within 25 nautical miles of land on either of the oceans; then you have a near coastal voyage 1, which is 50 nautical miles—

Mr. Donald Roussel: No, 200.

Mr. Gerard McDonald: —or 200 nautical miles, sorry.

Anything after that is considered an unlimited classification.

[*Translation*]

Mr. Robert Carrier: I see. Thank you.

[*English*]

The Chair: Mr. Bonin.

Mr. Raymond Bonin: Thank you, Mr. Chair.

So you're talking about the small vessel monitoring and inspection program, which is different from the pleasure craft program?

Mr. Gerard McDonald: Yes. If we're talking about small vehicle inspection, all we inspect is the small commercial vessel.

Mr. Raymond Bonin: And you're talking about licensing for the people driving these things?

Mr. Gerard McDonald: That's correct, yes.

Mr. Raymond Bonin: So now you're going to have all of us with this card saying let's go back for another test, for an upgrade?

Mr. Gerard McDonald: Not at all, no.

Mr. Raymond Bonin: We'll need a difference licence?

Mr. Gerard McDonald: No. That's what I was trying to explain with my opening statement. That was part of the proposal, and we realized that probably didn't make much sense. It's very difficult, obviously, for an enforcement officer to worry about whether you're commercial or whether you're pleasure craft, so for any vessels below eight metres, essentially it's the operator proficiency card that we're proposing.

Mr. Raymond Bonin: And it's the pleasure card.

Mr. Gerard McDonald: Exactly, yes.

Mr. Raymond Bonin: Why don't we make it the pleasure card for all of them, then?

Mr. Gerard McDonald: That's exactly what we're proposing to do.

Mr. Raymond Bonin: Okay. Because in the orders of the day, we're not talking pleasure craft, we're using a different definition. I assumed there was a different card now.

Mr. Gerard McDonald: Understood.

Mr. Raymond Bonin: Okay.

Now, we are responsible, really, for this pleasure card, although it's issued by the province—in Sudbury, on this one—and then we have the firearms card.

Mr. Gerard McDonald: Yes.

Mr. Raymond Bonin: Our social insurance number could fit on a new card also, and my hunting licence, and my driver's licence. I'm going to ask you, because nobody seems to want to start the ball rolling, if, in your discussions with all the other departments—I'm playing cards, you see—you could start the discussion around having one card and then bringing others in. Probably the province should do it, but they're not doing it. Maybe the feds should do it with their firearms acquisition, allowing room on this card for everything else—from my mother-in-law's phone number to anything else I want on there.

This is a problem for all of you and all of us. Somebody has to start that debate, because nobody seems to be doing it.

• (1605)

Mr. Gerard McDonald: We're certainly not opposed to working with any other federal departments who wish to look at this issue.

Mr. Raymond Bonin: Nobody is opposed to it, but nobody is getting it going.

Mr. Gerard McDonald: Fair enough.

Mr. Raymond Bonin: I'm asking you to start it going, at least in discussions. We have to do something about all these cards. If you don't discuss it when you're talking to the people from firearms—

Mr. Gerard McDonald: One of the problems we run up against is our own privacy legislation, which does not allow us to use data that's been collected for another purpose.

Mr. Raymond Bonin: Unless we volunteer it.

Mr. Gerard McDonald: Unless you volunteer it.

Mr. Raymond Bonin: I'll volunteer; you can put anything on that card, I have nothing to hide. There are millions like me.

Somebody has to start the discussion.

The Chair: It's started, right now.

Mr. Scheer.

Mr. Andrew Scheer: Thank you.

I've have just a number of technical questions for you.

First, you mentioned that for the personal watercraft, the operator's certificate is only necessary if you were born after 1983 or if you're operating a vehicle less than four metres. Is that correct?

Mr. Gerard McDonald: Now, when you say "personal watercraft", are you talking about a Sea-Doo?

Mr. Andrew Scheer: The one you mentioned a few minutes ago, the operator's certificate—

Mr. Gerard McDonald: Yes, the operator proficiency card; right now it's a graduated introduction. Right now, for people born after 1983, you have to have an operator proficiency card; as of 2002, it will apply to all operators of pleasure craft that are less than four metres in length; and then, as of September 15, 2009, it will apply to all operators of pleasure craft.

Mr. Andrew Scheer: This is different from personal watercraft, such as a Sea-Doo? I ask only because you brought it up.

Mr. Gerard McDonald: Personal watercraft presently requires an operator competency card, because it's less than four metres.

Mr. Andrew Scheer: Okay.

When was the first of these graduations? When was that first brought in?

Mr. Gerard McDonald: In 1999.

Mr. Andrew Scheer: Any studies about the dramatic decrease of boating accidents, or a plunge in—

Mr. Gerard McDonald: Yes, accident statistics have actually fallen, from about 200 people per year, now that roughly a million people have taken the safety course, to an average of about 150 people per year.

Hon. Jim Karygiannis: We don't have small children driving Sea-Doos any more, as a result of this legislation.

Mr. Andrew Scheer: I see.

I have a quick question about the small vessel monitoring and inspection program for the small commercial vehicles. I'm looking at part of the presentation given to the Saskatchewan Outfitters Association. There's a page in here on spot checks, and there's page on different compliance measures.

The last time you were here, when I brought this question up with you, you said the registration of the vessels themselves was probably not a big deal; you can go online, you can do it over the phone. It's not like you have to bring your canoe somewhere to get it looked at and get a decal put on it. But then there's this component for spot checks. It looks like the RCMP will actually come out and do spot checks on your watercraft. Is that correct?

Mr. Gerard McDonald: They may. It is possible. Yes, any vessel subject to regulation can be spot-checked.

Mr. Andrew Scheer: So I could go on the Internet and register my watercraft, my boat or whatever, thinking that I might be in compliance or that it meets the safety standards, but be perhaps incorrect—I'm not a certified inspector—and then be subject to a spot check and maybe a fine. There's a disconnect between what I thought I was doing, by myself on the Internet, and what the inspector sees when he comes and actually takes a look at my boat.

Mr. Gerard McDonald: No, there's a bit of a difference in what we're talking about here. I mean, with respect to the registration, when we register or license a vessel, essentially what we want to ensure is that we know, first of all, what we have registered or licensed; what size of boat we're talking about; its capacity; and who the owner is and what their address is. This the type of information we have with respect to the licensing of a small vessel.

With respect to the carriage requirements for those vessels, which are fairly minimal, all we want to ensure is that the person essentially has life jackets on board, that they have a buoyant heaving line, something that, if they get into trouble, they can save themselves with.

•(1610)

Mr. Andrew Scheer: Just on that, could I suggest one thing? You don't need to register a boat to make sure it has life jackets and lines and so on. If you make a rule saying that you have to have one life jacket per person, you don't need to register the boat to do that. If you do a spot check on a registered boat and you find out there are no life jackets, it's no different than if you didn't have registration at all but you made it a safety requirement and you did a spot check and found that it didn't have life jackets.

Registration, and you learn this from other examples of government registries, doesn't translate into what the desired intent is.

Mr. Raymond Bonin: If the boat tips over and they find it three days later, they know you were the one in that boat. There's a really good reason for this document.

Mr. Andrew Scheer: But we're talking about preventing accidents, and preventing deaths, and that's not going to have an impact on that. In the example you give, Monsieur Bonin, it's three days later that you find it out.

The Chair: Can we have a question here? We don't want to engage in cross-debate.

Mr. Gerard McDonald: Just to clarify, the law presently requires that you license your vessel. This is not a new requirement.

Mr. Andrew Scheer: But it has changed.

Mr. Gerard McDonald: No, the law requires right now—

Mr. Andrew Scheer: That I have to go and get a decal on my vessel—

Mr. Gerard McDonald: —that you have to register. If it's a pleasure craft or if it's a commercial craft, it has to be licensed.

Mr. Andrew Scheer: In terms of this presentation that was given to the Saskatchewan Outfitters Association as part of this new small vessel monitoring program, you're saying this was already all in existence, everything in this presentation?

Mr. Gerard McDonald: No. I'm sorry, I don't have what you have in front of you, but with respect to the registering and licensing

of commercial craft, that is currently a requirement in the regulations. If you have a small commercial craft, you can either register it or license it. There is a bit of a differentiation between registration and licensing, but it's relatively minor. There is a current regulatory requirement for you to license either a small commercial craft or a pleasure craft.

Mr. Andrew Scheer: Maybe I can show this to you afterwards and we can have some correspondence on it. This is part of what looks to be an implementation plan for these regulations, so if you're telling me otherwise, then I'll stand corrected on that.

When we get into discussing the idea of guides or outfitters out there having to register their watercraft to meet safety requirements, I still think it's not necessary. If you have a safety requirement and there is an accident, or something happens and there is an investigation, or there's a spot check, they'll find out right away that there weren't enough life jackets, without needing that canoe or that boat to be registered. An RCMP officer will pick up on it pretty quickly. It doesn't necessarily have to be registered for them to discover that. But you're telling me it's a fait accompli, they're already being registered.

Thank you.

The Chair: Mr. Karygiannis, I know, is very anxious to ask questions.

Hon. Jim Karygiannis: Thank you, Mr. Chair.

A pleasure craft that has an outboard motor is a means of transportation.

Mr. Gerard McDonald: Certainly.

Hon. Jim Karygiannis: If you're using a motorbike, if you're using a car, or if you're using a pleasure craft, it is the same thing: you are transporting people, you are moving from point A to point B. For a scooter or a bicycle that's powered, you need to register this, and you need to get a licence.

So why should it be any different with pleasure craft? In your opinion, what's the motive of those people who say we shouldn't register pleasure craft?

Mr. Gerard McDonald: Our opinion is that it should not be any different, that they should indeed be registered: one, so we know what constituency we're talking about here, and we can determine the usage of pleasure craft or commercial craft across the country, to enable us to make better regulations; two, if there are safety issues, we want to be able to communicate to the public, to the owners of vessels, that we have a way in which we can do that; and three, for enforcement.

With all due respect, you indicated that the RCMP officer knows that if there's a problem with a vessel, he can just charge the person if he sees a problem—if they're not carrying life jackets, say. One of the greatest problems, enforcement agencies tell us, is that if a vessel is not appropriately registered and a record kept of that vessel, it's very difficult for them to take any enforcement action that would indeed stick. This is something they have been pressing us for, and for some time.

•(1615)

Hon. Jim Karygiannis: So registration as well as education, which is what you're proposing and the department certainly is moving towards, would save lives as well as make sure that the people who are operating the pleasure craft know what they're doing so that accidents do not happen.

Mr. Gerard McDonald: That's exactly it. Our primary goal is to save lives—and primarily through education, I would point out.

Hon. Jim Karygiannis: Do you have an idea of how many accidents happened in the last year, or two or three years, to people who were operating pleasure craft and not operating it properly, or to people who were not operating with a licence? Can you estimate how many accidents this will prevent, and how many lives it will save?

Mr. Gerard McDonald: As I had indicated, the statistics we have show that before the operator proficiency card came into force, there were roughly 200 deaths annually in water-related boating accidents. After the introduction of the operator proficiency card, that number has dropped to 150 as an annual average. And the card is not yet fully introduced.

Can I attribute that solely to the introduction of the card? No. But I certainly think the introduction of the card has had an effect on the level of education of the boater. More people have taken the time to sit down, to study our book, to know some of the concerns we have with boating safety and some of the things they should be aware of when taking a boat out on the water.

So I do think there has been some effect, yes.

Hon. Jim Karygiannis: At the end of the day, this will save lives and it will bring our families, after they have their vacations, happily back home.

Mr. Gerard McDonald: That's certainly our intent, yes.

Hon. Jim Karygiannis: So for the people who are actually not supporting this, can you guesstimate what reason they would have for not wanting our families to safely come back home?

Mr. Gerard McDonald: I don't think it's up to me to answer that question.

Hon. Jim Karygiannis: Thank you.

The Chair: Mr. Karygiannis, those were very leading questions you were posing.

Mr. Harrison.

Mr. Jeremy Harrison: Thank you very much, Mr. Chair.

There's a lot that I could talk about with reference to Mr. Karygiannis' remarks, but the point I really want to pick up on is the database, the registry. You indicated that there already is a registry system, a licensing system, in place, yet there's a need to create a massive new database. Why is that?

Mr. Gerard McDonald: I just want to clarify that the licensing of the boat is one issue. Currently, there is a requirement for all boats in Canada to be either registered or licensed. We have a small vessel licensing system. Currently we do have a database. We have a large ship vessel registry. That's a working database. For pleasure craft, the Canadian Border Services Agency maintains records on pleasure craft for us.

Mr. Jeremy Harrison: I'm asking specifically, though, about the small vessel monitoring and inspection program. There is a need to create a new database. Am I correct in that?

Mr. Gerard McDonald: No. We currently have a database with respect to small vessel licensing.

Mr. Jeremy Harrison: I thought I heard earlier in the testimony that this year there was going to be \$100,000 spent on research to look into a new database.

•(1620)

Mr. Gerard McDonald: That is with respect to the pleasure craft operator competency card, which is the requirement of the operator, not of the vessel.

Mr. Jeremy Harrison: Okay.

With regard to the database that was being discussed, did you say that three million individuals will be in this database at some point? That's what is expected?

Mr. Gerard McDonald: That would be our estimate, yes.

Mr. Jeremy Harrison: Has there been any estimate as to the cost of this new database?

Mr. Gerard McDonald: Donald.

Mr. Donald Roussel: We do not have the cost of the database. I did mention to the committee that we will have the figures on the overall cost of this database available by the end of March 2006. The department is making the analysis this fiscal year.

Mr. Jeremy Harrison: Right. Well, we've seen this government's aptitude with registries in the past. To have a new database of three million individual entries in this database....

A database to register guns, initially slated to cost \$2 million, is now at \$2 billion. Forgive me if I don't have a whole lot of faith in this government's ability to register anything properly.

The Chair: Mr. Karygiannis.

Hon. Jim Karygiannis: Mr. McDonald, will you allow me to ask you a few personal questions, if I may?

Mr. Gerard McDonald: I guess it depends on how personal.

Hon. Jim Karygiannis: I've noticed that you're wearing a ring on your right small finger. Can you describe what that ring is, please?

Mr. Gerard McDonald: That is an engineering ring.

Hon. Jim Karygiannis: Can you describe the anvil ceremony, and exactly what it says?

Mr. Gerard McDonald: It has been a number of years, Mr. Karygiannis, but essentially the ring is supposed to represent cold, hardened steel, and to make us constantly aware, whenever undertaking our duties, of the duty we have to the public when designing something for their use.

That's it in a nutshell.

Hon. Jim Karygiannis: In other words, if I could put it in a nutshell as well, when you work with the public, what you do is you save the public versus harm the public.

Mr. Gerard McDonald: Most certainly, yes.

Hon. Jim Karygiannis: So in this instance, would you say you're upholding that tradition, as an engineer?

Mr. Gerard McDonald: Yes, I certainly would.

Hon. Jim Karygiannis: Thank you.

The Chair: Thank you very much, Mr. Karygiannis.

Mr. Harrison has another final question.

Mr. Jeremy Harrison: I just wanted to pick up on a point. You talked about how there's no data to back up the assertion that this will save lives. What is it based on? You have no evidence to base it on, so what are you basing your assertion on that this will save lives?

Is this, as some have characterized it, wishful thinking, are you just hoping it will save lives, or...?

Hon. Jim Karygiannis: He's not a lawyer; he knows what he's doing.

Mr. Jeremy Harrison: I'm a lawyer, so I don't know what I'm doing?

Hon. Jim Karygiannis: Are you a lawyer?

Mr. Jeremy Harrison: Yes.

Hon. Jim Karygiannis: Well, I hope you spell it right—

The Chair: All right, let's stop that right now.

Mr. Gerard McDonald: As I had indicated, the number of deaths in Canada prior to the introduction of the operator competency card was at 200. We've brought that number down to 150. Can we attribute it all to the card? No. But I think there is something to be said there, that education and awareness, which is what we're trying

to promote with the operator competency card, does have some effect on safety.

I also it's intuitive that if you do educate someone on how to do something, they will take greater care in operating, whether it be a piece of machinery, whether it be a car, or whether it be a snowmobile or what have you.

I'm afraid that's the best I can do.

Mr. Jeremy Harrison: I would just make the point, though, that there was an admission that there's no evidence this is based on anything other than hope and wishful thinking.

The Chair: Okay.

Mr. McDonald, I have a quick question. There have been press reports in recent weeks that a number of people had obtained these operating proficiency cards by plunking down \$30 and being handed a card. In other words, they never took the course.

What is Transport Canada doing to regulate those service providers?

• (1625)

Mr. Gerard McDonald: Certainly, first of all, there is no requirement for you to take a course. There is only a requirement for you to pass the exam. But we have also received reports of some unscrupulous service providers. When we are made aware of those types of operations, we do investigate. Where we have found there to be contraventions of the regulations, we pursue the matter with the course providers to the best of our abilities.

The Chair: Okay.

Thank you very much for coming today.

If nothing further, we stand adjourned.

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