



House of Commons  
CANADA

# Standing Committee on Justice and Human Rights

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EVIDENCE

**Tuesday, February 12, 2008**

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**Chair**

Mr. Art Hanger

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•(1535)

[Translation]

**The Vice-Chair (Mr. Réal Ménard (Hochelaga, BQ)):** Would you care to join us, Mr. Petit? Colleagues, I think we can start. We have a quorum.

I would like to welcome our witnesses.

A vote is scheduled to take place in the House of Commons at 5:30 p.m. and other members will be joining us. Therefore, I suggest we begin and hear from the witnesses in the order listed in the notice of meeting. First up are the representatives of Mothers Against Drunk Driving, who have already arrived. They will be followed by the Canada Safety Council, the Centre for Addiction and Mental Health, and lastly, the Canadian Automobile Association.

I invite the groups to introduce their representatives and, as much as possible, to limit their presentations to seven minutes. We could be extremely generous and allow them 10 minutes. However, there are four witnesses on the schedule and we would like to wrap up by 5:30 p.m., in case we need to go and vote.

The presentations will be followed by a question period during which members will have seven minutes for the first round, and five minutes for subsequent rounds. The first to respond will be the Liberal members, followed by the Bloc and then by government members.

So then, let's begin with Mothers Against Drunk Driving.

Please go ahead.

[English]

**Ms. Margaret Miller (National President, Mothers Against Drunk Driving):** Thank you.

My name is Margaret Miller. I'm the national president of MADD Canada. I'm very pleased to be here today representing the organization.

I came to be with MADD Canada after the death of my son, Constable Bruce Miller, a 26-year-old Nova Scotia police officer who was killed by an impaired driver.

I have found the organization to be everything and more in helping victims, in its advocacy, and in the things we do for legislative change. That's the reason we're here today.

I'd like to introduce my colleague, our CEO, Andrew Murie. He'll be following with his presentation.

Thank you.

**Mr. Andrew Murie (Chief Executive Officer, Mothers Against Drunk Driving):** I'd like to begin with talking about the current status of impaired driving in Canada.

Since 1999 the progress in Canada on impaired driving is stalled. There are recent indicators from Transport Canada that the problem is getting worse. In fact, in 2004, 35% of the dead drinking drivers were alcohol positive; in 2005 that number went up to 38%. In 1999 that number was 29%. The current status quo on what we're doing with the Criminal Code as it applies to impaired driving is not an option going forward.

A bit about the statistics.... Sixty percent of the dead drinking drivers have a blood alcohol concentration of 0.15 or greater. This group, though, is not just made up of alcoholics or repeat offenders. Studies have shown that only about 35% of these dead drinking drivers fit the clinical profile of an alcoholic. Only a small number of these are repeat offenders.

A significant group in the dead drinking drivers is young drivers aged 16 to 25. They are episodic binge drinkers who do not fit the clinical description of an alcoholic. In fact, young drivers represent about 13% of the population in Canada, but they represent 32% of the dead drinking drivers, so again it's a group that's well overrepresented in the fatalities above 0.15. Another group is drinkers who are usually social drinkers who sometimes, for an occasion, episode drink and end up dead. They are also represented in that group that's 0.15 and higher.

The other thing is that the greatest decrease...and progress that we have made in Canada and other countries over the last 20 years has been in the dead drinking drivers 0.15 and over. Any kind of presentation that says this group of drivers is resistant to legislative change or other programming that we've done is just not true, and in fact that's where we've had the greatest savings of lives.

MADD Canada has three proposals for this committee. The first one is lowering the blood alcohol concentration level to 0.05. Why? Canada has the highest de facto Criminal Code level in the world. We have a 0.08 per se level that we've had since 1969. Our courts allow a margin of error of 0.02, so in fact the police do not enforce our Criminal Code limits until the person's BAC is 0.10 and over.

Traffic safety experts tell us that 0.5 should be the highest permissible level of drinking and then driving. In fact, when you look at 0.5 there's a lot of misinformation out there. Will that interfere with social drinking? Not the case. For example, a 200-pound man can drink six standard drinks or a six-pack of beer, regular strength, 5% alcohol, on an empty stomach in two hours and still be below the Criminal Code threshold of a paragraph 253(b) charge. A 120-pound woman can have three standard drinks and still be below that Criminal Code threshold. In our account, that's not social drinking; that's putting others who are on the road at risk.

Worldwide, when BAC levels have been lowered, no matter from what level to what level, the result has been a savings of lives. There is also the impression that lowering the BAC will increase the judicial workload and the police workload. In fact, it has the opposite effect. If you claim that it's going to be a fact, you're not taking into account the behavioural change that people will change their habits when it comes to drinking and driving.

● (1540)

If you look at everywhere else in the world where they've lowered the BAC levels, there has been no impact on police or judicial resources. In fact, there are studies showing that there are economic savings to our health care, our policing, and our judicial system over a long period of time.

The big debate with 0.05% is not what level, but whether it should be done federally or provincially. Over the years Parliament has dealt with a number of options looking at various ways of lowering the BAC and the accompanying penalties. There's also a model out there with the provinces for doing it administratively. In fact, since the model was put in place with the provinces over three years ago, the provinces have made no progress, and that's something federal parliamentarians need to consider.

Our second theme is random breath testing. Drinking and driving is a persistent problem in Canada. Only a small fraction of drinking drivers are apprehended or charged. Statistics show or estimate that one out of every 445 trips results in a Criminal Code conviction. The international success of random breath testing is significant in lowering alcohol-related deaths. In 2003, the European Commission recommended that all 26 member states introduce random breath testing programs.

If random breath testing is done comprehensively and with a good charter analysis, there should be no concerns with meeting the test of the charter. Canadians are routinely subject to random detection and search in their daily lives. I'm sure all of us were searched here today as we came into this room. If we try to board a plane or go into a government building, we're scanned and searched. The Canadian courts have upheld the constitutionality of random stopping, searching, and questioning of drivers in order to maintain traffic safety.

There is no question that reducing carnage caused by impaired driving continues to be a compelling and worthwhile government objective. In summary, random breath testing is one of the most effective means of deterring impaired drivers and lowering the number of alcohol-related deaths.

Third is the matter of ignition interlocks. There are 60,000 convictions each year in Canada for impaired driving. We currently have about 11,000 interlocks on vehicles. The provinces are working hard to enhance their interlock programs. In fact, the State of New Mexico is the first to introduce mandatory interlock programs for all convicted impaired drivers. In the past two years, New Mexico has had a 10% reduction in the number of deaths on their highways since the introduction of the mandatory interlock program. It should also be performance based. So it's easy to get on...you have to prove that the interlock needs to be removed, that you've been able to separate your drinking from your driving.

In its wisdom, the federal Parliament put the interlock provision in the Criminal Code to allow provinces to introduce alcohol interlock programs approximately 10 years ago. It also put in an accompanying hard suspension period of three months, six months, and nine months. But as we've become more knowledgeable about interlock programs, the hard suspension period has become a kind of hindrance to effective provincial programming on interlocks.

We'd like to ask the federal Parliament to either reduce the interlock hard suspension to 30, 60, or 90 days, or eliminate it altogether. That does not mean the driver would not serve the full prohibition period of their licence suspension, but it would allow them to serve the whole thing on the alcohol interlock. We'd like to ask you for that consideration.

● (1545)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** I would ask you to wrap up your presentation, as you have been speaking for almost 10 minutes. Perhaps you can have one more minute.

[English]

**Mr. Andrew Murie:** Okay. I'm at the summary right now.

The implementation of the 0.05% BAC and random breath testing would dramatically reduce the number of impaired driving deaths in Canada.

Thank you.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much.

We will now hear from the Canada Safety Council.

You have the floor, Mr. Marchand and Mr. Therrien.

[English]

**Mr. Raynald Marchand (General Manager of Programs, Canada Safety Council):** *Bonjour.* Good afternoon.

First I'd like to thank the committee for our opportunity to present today. I will cover my presentation, but I will skip some part of it in the interest of time. You do have copies.

In 2005, road crashes involving drivers who had been drinking took 851 lives. Of these, 459 were drivers whose blood alcohol concentration was above the current legal threshold of 80 milligrams of alcohol in 100 millilitres of blood—or 80 milligrams percent. The 2005 fatalities were down by 34% from 1995, when 1,296 motor vehicle deaths involved drinking drivers. Nonetheless, progress has stalled in recent years and the problem is far from eradicated.

Canada's national strategy to reduce impaired driving was initiated in 1991. It has the commitment of provincial and territorial jurisdictions working together with Transport Canada and safety organizations, including the Canada Safety Council.

In matters related to impaired driving, the Canada Safety Council strongly urges Justice Canada to collaborate with STRID to ensure that any changes fit with the national strategy and have support from all STRID partners. The priority must be to prevent alcohol-related crashes, not just to punish drinking drivers.

The Canada Safety Council presents a rationale for the government to retain the current criminal blood alcohol limits. Many studies have shown that harsher penalties, beyond a reasonable level, will have little or no deterrent effect. What is needed is to increase the perception of apprehension and to improve the system efficiency and effectiveness in dealing with impaired offenders.

Essentially, we have a three-pronged approach. We wish to recommend the traffic code for lower BAC drivers. In Canada, there are two levels of government dealing with impaired drivers. Driving with a BAC of 50 milligrams percent is not permissible under the traffic act in almost all provinces and territories. The STRID reports referenced below provide details on the strong countermeasures currently in place for lower BAC drivers.

All of Canada's 13 provincial and territorial jurisdictions, except Quebec, impose administrative licence suspension on drivers whose BAC is under the criminal limit. Those drivers immediately lose their licence for four to 24 hours, and for longer with subsequent violations. In addition, under graduated licensing, all novice drivers must have a zero BAC.

Administrative licence suspensions protect the public by taking potentially dangerous drivers off the road and giving them a serious warning. These suspensions have proven to be an effective tool in the fight against impaired driving, in part because they impose swift and certain consequences. Some provinces have licence reinstatement fees, and requirements for assessment and treatment in the case of repeat suspensions. An evaluation of the Alberta administrative licence suspension program found a 24% drop in the number of repeat impaired drivers and a 19% reduction in the number of repeat offenders involved in alcohol-related collisions that caused injuries or death.

Administrative licence suspensions are fundamental to the success of randomized breath testing through roadside check programs. The purpose of these programs is not simply to catch and punish offenders. In and of themselves, they serve as a very effective deterrent by providing highly visible enforcement.

Recent Ontario RIDE statistics attest to their deterrent effect. Of the 846,400 vehicles checked during the last five weeks of 2007, OPP officers charged 334 people with alcohol-related criminal offences and gave another 842 drivers 12-hour licence suspensions. This represents only 0.14% of the drivers checked, a very low proportion. It is consistent with a large body of research that shows people are less likely to offend when they believe they will be caught. Programs like RIDE, CounterAttack, CheckStop, and others actually prevent people from drinking and driving.

Other measures are being taken outside the Criminal Code to prevent offenders from driving while impaired. These include licence suspension, vehicle impoundment, and alcohol ignition interlock system.

An Ontario government web page, for example, describes the many possible penalties to which drinking drivers are subject. That province plans to implement even more stringent measures in late 2008, including escalating administrative sanctions for repeat drinking drivers with BACs from 50 milligrams percent to 80 milligrams percent and the use of the civil forfeiture law to take vehicles away from those who continue to drink and drive.

● (1550)

Making conduct criminal is society's ultimate condemnation. The Criminal Code addresses offences such as murder, rape, and assault that violate basic societal norms. Criminal Code sanctions are very severe. A criminal conviction, be it for armed robbery or for drinking and driving with a BAC over 80 milligrams percent, limits travel and job opportunities for the rest of the offender's life. Justifiably, the legal process to charge and convict an offender is intricate and costly.

A driver who has been awake for 19 hours is as impaired in the operation of a motor vehicle as someone with a 50-milligram percent blood alcohol level. The risk is real, but statistics show that chances of a serious crash are low when compared with drivers at 80 milligrams percent.

Provincial and territorial transport officials, represented in the Canadian Council of Motor Transport Administrators, have taken a position against lowering the criminal BAC to 50 milligrams percent. According to the CCMTA, such a change would hamper the ability of the police to detect drivers with a BAC greater than 80 milligrams percent, who are the greatest crash risk, due to the overextending of the enforcement resources. CCMTA says a move to criminalize drivers who are at lower risk of collision involvement would further burden an overtaxed criminal justice system without increasing the deterrent effect of the law.

The argument that criminal BAC should be lowered because the police do not normally charge drivers below 100 milligrams percent is frivolous. If charges are not being laid at 80 milligrams percent, measures are needed to ensure the law is enforced.

Lowering the criminal BAC would have serious repercussions. For example, the necessity to apply criminal sanctions at lower BACs would nullify the many effective, proven countermeasures currently in place at that level. The change would be costly and counterproductive.

Roadside check programs would be jeopardized. Currently, police can suspend the licence of a lower-BAC driver on the spot. The need to spend an average of four hours to lay charges would jeopardize such programs.

It is important to deal firmly with individuals with BACs below the criminal level, both to prevent them from causing immediate harm and to ensure they do not join the high-BAC group. However, most drivers killed in alcohol-related crashes are legally impaired. Statistics show without a doubt that driving with a BAC above 80 milligrams percent is very dangerous.

•(1555)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Mr. Marchand, you should consider wrapping up.

**Mr. Raynald Marchand:** All right.

[English]

When we look at the BAC in line with other countries, one argument used is that the idea of reducing is the same in other countries.

We had a report that was updated in 2006 to determine whether recent developments would affect the conclusion about international BAC levels. There were changes, but the conclusions remained the same as they were added. The approach of countries and jurisdictions with 50-milligram percent limits is still typically outside of the Criminal Code.

Many studies have shown that harsher penalties beyond a reasonable threshold would have little or no deterrent effect. For example, in 1998, New South Wales doubled the maximum penalties for most drinking offences. An analysis of the impact of these harsher punishments was released in June 2004. It found that after a tougher penalty went into effect, there was a slight reduction in the recidivism rate for drinking drivers. However, the changes were not substantial, and no reductions were seen in Sydney, the largest urban area in the state.

In summary, Justice Canada should focus on sentences that will prevent recidivism. It should ensure remedial programs are prescribed and readily available, and it should encourage the use of ignition interlock.

Thank you.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much. No doubt we will have a number of questions for you later.

Moving along, the next group to present is the Centre for Addiction and Mental Health. Their spokesperson is Mr. Robert Mann.

[English]

**Dr. Robert Mann (Senior Scientist, University of Toronto, Centre for Addiction and Mental Health):** Merci beaucoup.

I am pleased and honoured to be here with you today to speak about reducing alcohol-related deaths on Canada's roads.

My name is Robert Mann. I am the senior scientist with the Centre for Addiction and Mental Health, and I'm the director of the Collaborative Program in Addiction Studies at the University of Toronto.

Drunk driving is one of the largest causes of alcohol-related death in Canada and is the largest criminal cause of death. Thus it is appropriate and commendable for Parliament to be considering ways to reduce those deaths.

Dr. Jürgen Rehm and his colleagues, in their report on the costs of alcohol, tobacco, and other drugs for the Canadian Centre on Substance Abuse, estimated the number of Canadians killed in alcohol-related collisions in 2002 to be 909, a number that for several reasons is acknowledged to be a substantial underestimate. Of these victims, an estimated 28 were children 14 and under, and an additional 74 were teenagers and young adults. To put this number in context, 30 members of Canada's armed forces were killed in Afghanistan in 2007.

There is now substantial evidence from Canada and other countries that legal initiatives to control and prevent impaired driving can be very successful. For example, our recent evaluation of the introduction by Parliament of Canada's 1969 per se law, which made it a criminal offence to drive with a blood alcohol content over 80 milligrams percent, has shown that in Ontario this law was associated with a reduction of 18% in drunk driving fatalities on a continuing basis.

Two areas where there is now clear scientific evidence to support additional government action in Canada are, first, lowering the legal limit for driving to 50 milligrams percent, and, second, introducing random breath testing. A third area where the evidence strongly indicates that improvement can be made is in our use of ignition interlock devices. Finally, it's also important to remember the crucial role that alcohol regulation plays in preventing drunk driving fatalities.

Norway introduced the first legal limit in 1936 and set their limit at 50 milligrams percent. Canada's current legal limit is 80 milligrams percent, modelled on the limit introduced by Great Britain in 1967.

There are now three key lines of evidence that provide strong support for a legal limit of 50 milligrams percent. First of all, it's abundantly clear from laboratory studies that driving skills are significantly impaired at that level. There is no question of that now.

Second, it is also clear that risks of being involved in a collision, including a fatal collision, are significantly increased at that level. For example, a recent study by Paul Zador and his colleagues in the United States found that the minimum increase in risk of involvement in a fatal collision was eightfold, and that for most age and gender groups the risk was substantially increased beyond that.

The third line of evidence is evaluations of the impact observed when legal limits are lowered. This research was largely unavailable when legal limits in most jurisdictions, including Canada, were originally set. It therefore provides an important new line of evidence for lawmakers to consider.

A consistent conclusion of recent reviews of this literature is that in most or all jurisdictions in which BAC limits have been lowered, substantial reductions in various measures of the drinking and driving problem, including injuries and fatalities, have been observed.

The potential impact on fatalities on our roads can be substantial. In 1998 my colleagues and I reported that if we saw the same effects in Canada that have been observed in scientifically rigorous studies in Australia and Europe, lowering the legal limit in Canada to 50 milligrams percent could prevent between 185 and 555 deaths per year on our highways. Rigorous scientific research that has appeared since that time has served to support and strengthen that conclusion. It is also important to note that every evidence-based health and safety organization that has considered this issue has recommended a 50-milligram percent limit.

Random breath testing originated in Australia and Europe in the 1970s as a means of dealing with the drunk driving problem. The key to random breath testing is allowing the police to request a breath sample without probable cause. This permits the processing of large numbers of drivers at the roadside as a way to increase general deterrence. Evaluations and reviews of random breath testing support its effectiveness in reducing alcohol-related collisions and fatalities.

• (1600)

Reviews of random screening measures, including random breath testing, found across studies a reduction—ranging from 8% to 71%—in alcohol-related fatalities, with an average reduction of 30.6% in accidents with injuries. Because of these positive results, random breath testing has been supported by many health organizations. In the recent WHO-sponsored study of measures to prevent alcohol-related harms, it was also one of the measures given strongest support.

There are existing technologies available that appear able to reduce impaired driving, and there is promise of important developments in the future.

One technology now in use is the ignition interlock device, which, when installed on a vehicle, prevents its operation by a driver with a BAC above a predetermined level. The available evidence provides a very clear indication that impaired driving and recidivism are significantly reduced while these devices are installed on the vehicle. However, a substantial concern with interlock programs as they now exist is the low level of utilization of interlock devices among offenders eligible to use them. Typical utilization rates are 10% or less.

Thus, while existing laws and regulations permit the use of interlock devices, their potential impact on traffic safety has not yet been realized. Increasing that beneficial impact may require consideration of those laws and policies that affect their use.

In summary, the Government of Canada has the opportunity to take important action to reduce drunk driving fatalities in this country through legal initiatives. The available scientific evidence indicates that important reductions in drinking and driving and associated fatalities can be achieved through reducing the legal limit in the Criminal Code to 50 milligrams percent, introducing random breath testing, and more effectively using ignition interlock devices.

The Centre for Addiction and Mental Health supports the Government of Canada in its efforts to prevent deaths and injuries resulting from alcohol-impaired driving. We also note that if legal changes are made, it is essential that resources to support their implementation and to rigorously evaluate their impact be provided.

Thank you very much.

• (1605)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you for wrapping up your presentation in under 10 minutes. You are an inspiration to all of us.

Next up is Mr. Chris White from the Canadian Automobile Association.

[English]

**Mr. Chris White (Vice-President, Public Affairs, Canadian Automobile Association):** Thank you, Mr. Chair.

On behalf of the Canadian Automobile Association, thank you for inviting us.

From our establishment in 1913, CAA has been Canada's foremost voice, supporting the rights of Canadian motorists and travellers. With approximately 5.2 million members, CAA continues to advocate for a wide variety of safety initiatives, which have helped guide relevant traffic safety laws, public safety initiatives, and public policies throughout Canada. We continue to work with the federal government, our nine clubs, and other stakeholder groups to ensure safer drivers on safer roads in safer vehicles.

Mr. Chair, as one of Canada's largest member-based advocacy groups, we, like you and the members of the committee, are anxious to see fewer deaths and injuries on the roads as a result of impaired driving. In 1999, this committee tabled the report entitled, *Toward Eliminating Impaired Driving*. That report concluded that the current level of 0.08 adequately empowered police to remove impaired drivers from the road, while at the same time not burdening the justice system.

More importantly, though, the report stated the following:

...a legal BAC limit of 50 mg/100 ml of blood could result in a loss of public support, especially since scientific evidence suggests that not everyone would be impaired at that level.

Mr. Chair, CAA's only *raison d'être* on behalf of our members and on behalf of the travelling public is to be a credible advocate for safety issues for Canadians. With this as our sole motivation, CAA continues to support the approach cited in 1999. Based on figures from Transport Canada, we know that nationally 2005 crashes involving drinking and driving accounted for about 33% of all road users killed on public roadways. And until studies show overwhelmingly strong and consistent evidence for lowering the criminal BAC limit, it is our view that the current limit of 0.08 should be maintained and strongly enforced.

To address the growing concern of impaired driving, CAA strongly supports legislation, strict enforcement, and continued education to end the practices of driving while under the influence of drugs, alcohol, or medication. It is our view that this is where an investment of resources is most needed.

The committee's review of mechanisms to reduce impaired driving in Canada is timely and overdue. Current measures are clearly not providing adequate deterrents, nor are they removing dangerous drivers from the road. It is our perspective that we are not talking about a deficiency in law but rather a deficiency in the social behaviour of drivers. Most drivers inherently know when they have consumed too much alcohol to drive, regardless of the blood alcohol content. The more serious problem, though, is the drivers who lack this understanding and those who chronically and consistently get into their cars under the influence of alcohol well beyond the 0.08 levels. Repeat offenders and an underresourced judicial system are endangering the safety of everyone on the roads, and, as CAA has long maintained, driving is a privilege and not a right.

Furthermore, CAA, like many stakeholders, believes in a comprehensive approach to address the problem of impaired driving. We advocate for specific measures to deal with repeat offenders and measures to increase enforcement.

We would specifically like the committee to consider the following:

One, introduce tougher sanctions for recidivists and drivers with high BACs: the higher the blood alcohol level, the more serious the sanction.

Two, implement a mandatory requirement for the use of alcohol ignition interlock devices that become progressively longer with each subsequent conviction.

Three, encourage provinces to coordinate provincial legal drinking ages to reduce the practice of cross-border drinking and driving.

Four, recommend that the Criminal Code admit evidence from mobile digital breath testing devices in court. These devices have proven to be highly reliable compared to the first-generation devices that were initially used.

Five, encourage the federal and provincial governments to simplify the evidence-gathering and charging procedures, with the goal of reducing the paperwork and time needed to lay an impaired driving charge.

Six, and finally, strengthen coordination and increase funding to ensure that law enforcement agencies have the resources and legislative support to effectively detect and properly charge drug-impaired drivers.

The continued level of public concern about drinking and driving is justified by the persistence of the problem on Canadian roads. CAA appreciates the attention of lawmakers to this issue and is confident the implementation of the aforementioned recommendations will improve safety on the roads and highways and will also reduce the incidence of drinking and driving in Canada.

• (1610)

I would like to conclude by thanking the committee for undertaking this important study. In addition, committee members should be commended for their work on Bill C-32 during the last parliamentary session and the speedy passing of the violent crime bill, Bill C-2, last fall.

CAA strongly supports Parliament's efforts to strengthen the enforcement of drug-impaired driving offences in Canada and would persuade the members of this committee to encourage their Senate colleagues to do the same.

Thank you, Mr. Chair.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much.

We will now begin our round of questioning from the members. Mr. Bagnell from the Liberal Party, the official opposition, will be first up, for seven minutes.

[English]

**Hon. Larry Bagnell (Yukon, Lib.):** *Merci, monsieur le président.* You're doing an excellent job as chair. I am disappointed to see you as chair, though, because you're such a poignant questioner of witnesses.

[Translation]

**Mr. Daniel Petit:** Oh! Oh!



**The Vice-Chair (Mr. Réal Ménard):** Everyone is entitled to their opinion, Mr. Petit.

[*English*]

**Hon. Larry Bagnell:** You have all convinced me on the interlock device, so I have no problem there.

Mr. Marchand, I tend to agree with something that you said—at least I haven't been convinced otherwise—and that a previous witness said. I don't want to rush into increasing the level because of the consequences of a criminal record. They are unintended consequences. When they set up the system, they didn't know they would affect the rest of your life—you couldn't travel, and all sorts of things.

I was quite impressed, actually, with the progress some provinces are making. I thought a lot more of those roadside measures were definitely having a deterrent.

Mr. Murray, I think you said they weren't successful and Mr. Marchand said they were.

Mr. Marchand, could you elaborate on the roadside administrative measures? Is there any proof of the success of those measures?

**Mr. Raynald Marchand:** Yes. An evaluation of what was done in Alberta shows clearly that they had a reduction in the numbers of offenders and repeat offenders subsequent to what they were doing.

My argument is that because of the severity of the Criminal Code, conviction becomes intricate and costly. What we favour is hopefully harmonizing the provinces. Under the highway code you are guilty, you have to prove your innocence, as opposed to the Criminal Code, where it is the other way around.

Ontario is moving this fall into a three-day suspension for the first time somebody gets pulled over with a BAC in excess of 0.05, between 0.05 and 0.08. We believe that currently, with the exception of Quebec, we already have a 0.05 and for new drivers we have a zero BAC already in place.

We want to see the provinces work on this at that level because we feel it's more efficient and we can get more drivers off the road when there is a RIDE program, for example. Once they're charged at the criminal level, the time that is required to do it and so on basically means that these roadside RIDE programs, for example, cannot continue because of the lack of needed resources.

We feel the deterrent, the visible enforcement, is important because people will behave according to being caught. They're not afraid of dying; they're afraid of getting caught. So we need that presence, and a BAC of 0.05 would eventually remove some of that.

**Hon. Larry Bagnell:** Correct me if I'm wrong, but I thought you had said the administrative measures by provinces were not working.

**Mr. Andrew Murie:** I think my colleague is referring to a study on administrative licence suspension, which is that when you're actually charged at a roadside it's 90 days.

There has never been a formal evaluation of the provincial system, of the 0.05 system, to show its effectiveness. There was a brief one done in Ontario when it was introduced, and it really showed no effectiveness. The problem is the sanctions ranging from 4 to 24 hours are not enough impact to make the drinking driver wake up

and realize.... In a lot of jurisdictions there are actually no ramifications. You could have 200 of those, because there are no records kept in most jurisdictions. So it's nothing that impacts.

If you're going to put a provincial system in place, there are two things they can't have. It has to be substantial enough to make the drinking driver not repeat that behaviour. The other thing is it can't be a patchwork quilt. We've had a system for 30 years, and Quebec still doesn't have one. If that's the future that holds, in 2038 we're going to have a very improper system. That's the advantage of a federal system. That's the advantage of a federal 0.05.

Also, we've dealt with some of the issues that my colleague is concerned with here on a ticketing offence. The criminal record automatically goes away after a certain period of time. The penalties should go with the level of blood alcohol concentration.

•(1615)

**Mr. Raynald Marchand:** The evaluation of the Alberta administrative licence suspension program was done by Howard Research in August 2005, and it is referenced at the end of our document. What they found was a 24% drop in the number of repeat impaired offenders and a 19% reduction in the number of repeat offenders involved in alcohol-related collisions that caused injury or death. So it is documented.

**Hon. Larry Bagnell:** I don't want to go on with this one any longer, because I won't get to my other question and the chair will cut me off.

Mr. Mann—just a quick yes or no is fine—scientifically, are most drinking and driving offenders repeat offenders? Is there a high rate of recidivism?

**Dr. Robert Mann:** If you look at the number of offenders coming into the courts, most of them, in fact, are first offenders in terms of what's being defined as an offender by the court and by the Ministry of Transportation. It's quite likely that they've driven after drinking or driven while impaired many times before that. But in terms of the folks coming into the court system, most are first offenders.

**Hon. Larry Bagnell:** One of the things we've found from experts in the criminal system, and not just for this, is the huge proportion of repeat offending, whether they're caught or not. It is solved by doing something to stop recidivism when we have these people at our fingertips, such as treatment, even mental health treatment, and so on. I was a bit disappointed that no witnesses talked about how you cure the root of the problem as opposed to just giving another ticket. I wonder if anyone wants to comment on things that can be done to actually eliminate people offending in the first place, or at least reoffending once we have them in our hot little hands.

**Dr. Robert Mann:** I can comment on that if that's okay.

We talk about remedial programs for convicted offenders, and I think most provinces now have remedial programs that all offenders must complete. The data on those programs are fairly impressive. Once they are in those programs and complete the programs, the chances of recidivism are reduced and the high-risk drinking behaviour declines. We see declines in drug use as well. That part of the system seems to be working fairly well. Now there are differences between provinces, but it is an important part of our overall effort to address the impaired driving problem.

If I could comment, though, the difficulty, if we're really trying to prevent deaths on our roads, is that if you look at the people killed in impaired driving collisions, a relatively small proportion, maybe 5%, 10%, or 15%, are actually repeat offenders. The large majority are people who have never been caught before.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Your time is up, but because this committee is famous for being flexible, I will allow one final comment.

[English]

**Hon. Larry Bagnell:** It's half an hour.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** No, you've gone over the 15-second limit. Quickly, please, so we can move on to Ms. Freeman.

[English]

**Mr. Émile Therrien (Spokesperson, Canada Safety Council):** Could I just make a point? Quebec does not have administrative licence suspensions, but they just went through proposed amendments to the traffic code, and that was one of the things on their agenda. That did not go through, but I would say that within the next year you will see it.

Thank you.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you.

Thank you, Mr. Bagnell.

You have the floor, Ms. Freeman.

**Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ):** I want to thank all of the witnesses for their presentations.

Quebec is different from other provinces in that there are no administrative measures in place. I don't know if you are familiar with Mr. De Koninck's report which was recently released. Quebec did in fact debate whether or not to lower the BAC to 0.05% or to keep it at 0.08%. In his report, Mr. De Koninck recommended, among other things, an increase in the perceived risk of apprehension. There appears to be a consensus on the question of introducing ignition interlock devices. That is how the system works in Quebec. The BAC limit for the operation of a vehicle is 0.08%.

Mention was made of other provinces and of the limits in other countries. Has a study been done on limits in other countries? We have here a report by the Canada Safety Council which mentions a study done by Professor David Paciocco of the University of Ottawa's Faculty of Law. This study looks at 77 governments, but I

am not sure if these were European governments. The report notes that of these 77 governments, only 10 have taken steps to lower the BAC limit to 0.05% and that this not really an effective measure.

I would like to hear your individual views on this subject. In particular, I am curious about the legal limits in other countries.

• (1620)

**Mr. Raynald Marchand:** The studies done by David Paciocco of the University of Ottawa found that the majority of these 77 governments do not impose prison terms, do not treat BAC levels of 0.05% as a criminal offence. Instead, they...

**Mrs. Carole Freeman:** ...opt for administrative measures?

**Mr. Raynald Marchand:** The measures tend to be of an administrative nature.

For that reason, in the case of a BAC reading of 0.05%, for example, the provinces resort to administrative measures and to regulations where people are asked to enrol in programs to overcome or control their dependency on alcohol.

Other provinces tend to exclude the 0.05% threshold from the Criminal Code. At least that is true in cases where only one code applies. Here we have two codes, the provincial code and the federal code. In countries like Belgium where there is only one code, because there are no provinces like we have here, authorities do not tend to impose a prison sentence when the BAC reading is 0.05%, but rather when levels reach 0.08% or even 0.10% in some cases.

That is the difference. The report, which was updated in 2006, shows that much hasn't changed internationally. Impaired drivers are subject to very harsh sanctions in Canada.

**Mrs. Carole Freeman:** Is Canada viewed as one of the toughest countries?

**Mr. Raynald Marchand:** Yes, it is.

**Mrs. Carole Freeman:** So then, you're saying that our system is one of the toughest.

**Mr. Raynald Marchand:** Yes, of all Western nations that have a government similar to ours.

**Mrs. Carole Freeman:** So then, the 77 governments in the study were European governments?

**Mr. Raynald Marchand:** The study looked at governments in Europe, in different US states and elsewhere, for example, in Australia.

**Mrs. Carole Freeman:** We hear a lot about Europe and the other provinces, but generally speaking, how is the problem dealt with in the United States?

**Mr. Raynald Marchand:** In the United States, the BAC limit for the operation of a vehicle is 0.08%. Although impaired drivers are more often sentenced to a prison term in the United States, the maximum sentence imposed is two years, whereas Canada's Criminal Code provides for a maximum sentence of five years. Therefore, our sanctions are harsher than the ones imposed in the United States.

**Mrs. Carole Freeman:** By that you mean that our sentencing provisions are harsher and that the legislation is more stringently enforced. In what way exactly?

**Mr. Raynald Marchand:** I mean that the sanctions imposed are more severe. In some US states, impaired driving is not a criminal offence, unless someone is killed. That's not quite the way it is in Canada. It becomes a criminal offence in some cases, only after the third offence. A BAC level of 0.08% is considerable acceptable. That is new because in the past, in some instances, the acceptable threshold was 1.01%. First-time offenders may be sentenced to a maximum of two years in prison, whereas in Canada, the maximum sentence is five years.

**Mrs. Carole Freeman:** I see. Thank you.

Mr. Murie or Ms. Miller, does MADD have a position on this? The penalties imposed by Canada are seen as being among the harshest. What are your views on the subject?

•(1625)

[English]

**Mr. Andrew Murie:** There are a couple of things. When you talk about the 77 governments, you have to realize that 52 of them are in the United States, so let's be fair about this. This isn't 77 governments of independent countries; 52 of the 77 are the individual states. I am correct on that.

**Mr. Raynald Marchand:** No, that's not quite....

**Mr. Andrew Murie:** It is; the number is.

[Translation]

**Mrs. Carole Freeman:** Can you tell us about the 77 governments in this case? Were they European governments? I know I already asked you that question, but you...

**Mr. Raynald Marchand:** The study looked at the governments of Japan and Australia. I believe it also looked at how things were done in about 40 US states, but not in all 52 states.

**Mrs. Carole Freeman:** So then, of these 77 governments, the majority were US state governments. Correct?

**Mr. Raynald Marchand:** The report also focused on Europe, Japan and Australia.

**Mrs. Carole Freeman:** I see.

[English]

**Mr. Émile Therrien:** I think it's important to emphasize that there's no federal criminal legislation in the United States affecting impaired driving; it's all in the states.

**Mr. Andrew Murie:** Just so I can finish, I think it's a gross estimation of what countries actually have 0.08. In fact, the majority—and I think you heard from Dr. Mann—have 0.05 or lower, whether administratively or criminally.

There is another piece that I think you, as federal parliamentarians, have to look at. Do we want to be known to have the harshest penalties, or do we want to be smarter and comprehensive and save lives? This issue should not be about having the toughest penalties; this should be about stopping impaired driving at the front end, and that's why we're talking about random breath testing. That's why we're talking about lower BACs. We know those measures worldwide will save lives. Our organization wants nothing to do with the harshest penalties. Let's be smart about impaired driving and move on from there.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much. Your time is up. Perhaps there is time for one last quick comment.

**Mrs. Carole Freeman:** Would you care to comment, Mr. Mann?

[English]

**Dr. Robert Mann:** Thank you very much.

I would agree that it's more important to be effective than harsh. There are two studies in the scientific literature that look at the impact of the 0.05 roadside regulations that we have in provinces now that find no significant impact on fatality rates. So they are largely ineffective, and that's why, as a researcher, I would look at the 0.05 criminal levels that show an impact on fatality rates and support those.

[Translation]

**Mr. Réal Ménard:** Thank you, Ms. Freeman.

**Ms. Carole Freeman:** Thank you, Mr. Chairman.

**The Vice-Chair (Mr. Réal Ménard):** You are welcome, Ms. Freeman.

You have the floor, Mr. Comartin.

[English]

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** *Merci, monsieur le président.*

Just to follow that up, Mr. Therrien and Mr. Marchand—and Mr. Murie, you may want to comment as well—in looking at the charts here, there's a large number of countries, 25 or 30 countries, that have a 0.05 limit. Does that lower the death rate or serious injury rate?

**Mr. Émile Therrien:** We have a 0.05 limit in Canada, in every jurisdiction except Quebec. In the other countries you refer to, it's a non-criminal 0.05; it's an administrative suspension.

**Mr. Joe Comartin:** That doesn't answer my question.

On the 0.05 limit, we've heard from Mr. Murie about the questionable enforcement of that across the country at the provincial level—its effectiveness in being enforced.

First, do you agree that we're not effectively enforcing it, as Mr. Murie has suggested? If you agree that we're not effectively enforcing it, do the other countries, if they effectively enforce it, drive down the death rates?

**Mr. Raynald Marchand:** We believe so. For example, in Australia, which has a 0.05 limit that is non-criminal, they do have a lot of enforcement through what they call the “booze bust”, which is random breath testing in large volume. Certainly we would encourage that in Canada.

**Mr. Joe Comartin:** Mr. Marchand, Australia has six states. Do they...?

**Mr. Raynald Marchand:** They're all separate, six states.

**Mr. Joe Comartin:** Is the 0.05 limit at the state level, not at the federal level?

**Mr. Émile Therrien:** I think New South Wales was the last to go down to 0.05. They were at 0.08. I think it was within the last couple of years.

I might be wrong on that statement, but one of them did.

**Mr. Joe Comartin:** They do not have a federal 0.05 limit.

**Mr. Émile Therrien:** No.

**Mr. Joe Comartin:** Mr. Murie.

**Mr. Andrew Murie:** You can look at when it went from 0.15 to 0.10, and 0.10 in the United States to 0.08, and then 0.08 to 0.05. In every country that lowered their limits, what was the effect? It saved lives from drinking drivers and fatal alcohol-related crashes, as well as in terms of injuries and personal property. There is not one country that has lowered their limits that hasn't experienced that positive saving of life.

The evidence is overwhelming. The issue here in Canada is how we're going to do it, whether we're going to do it federally towards the Criminal Code or allow the provinces to do it.

My disappointment is that in the three years the provinces have been given the model to implement, not one province has come close to implementing that model. Even Ontario, as Mr. Marchand talked about, is going halfway. It's a minimum of seven days, and they're starting off with three. You have to have an impact on that drinking driver, and that's what the most important piece is.

• (1630)

**Mr. Joe Comartin:** In terms of the enforcement, you would see a greater amount of suspension as being one of the tools to make that enforcement more effective. Is that correct?

**Mr. Andrew Murie:** That is correct.

**Mr. Joe Comartin:** In addition to that, are we looking at having to have more random breath tests administered at the provincial level for the 0.05 limit to be applied effectively?

**Mr. Andrew Murie:** I want to be very clear that random breath tests will work at any BAC level.

**Mr. Émile Therrien:** The Canada Safety Council published some pretty good research, a paper, a couple of years ago. I think we referenced it in our paper. It's called, *Low-BAC Drivers and the Law*.

We call upon the provinces, we call upon Quebec, to get on board with administrative licence suspensions, and also to standardize the sanctions right across the provinces. Believe it or not, Ontario, if you were caught, administered a licence suspension of 12 hours and that was it. It was not reported to your insurance. If these were standardized across the provinces and you moved from here to Rimouski from or Rimouski to Vancouver, that would be right there so they would know what's going on.

At this point it's not happening. In all fairness to the provinces, they have a lot on their plate and I don't know if they have the resources to do it, but in time they will have to do it.

**Mr. Joe Comartin:** Why are you optimistic that Quebec is going to move when they just rejected it?

**Mr. Émile Therrien:** I think there were so many things on their plate. If you looked at the amendments to the highway traffic safety act, there were a lot there.

I'm optimistic that they will. I've had conversations with the media in Quebec and they say this may be the next step in the next year. I would hope so. I think it makes a lot of sense.

**Mr. Raynald Marchand:** We believe that Quebec will eventually follow. I think we all agree about the zero for new drivers and the 0.05 and 0.08. I think it's in how we do it.

We believe the deterrence has to be there. In order to be there we have to have a simple way to remove them off the road right away and process them quickly. If we send all of that to the Criminal Code it will be so tough that we're going to discourage or eliminate these RIDE programs, because there aren't the resources. We want to see it done quickly and effectively.

**Mr. Joe Comartin:** We'll let Mr. Murie respond, and then we'll come to you, Mr. Mann.

**Mr. Andrew Murie:** Random breath testing will work at any level. If it were introduced today at the 0.08 level, it would make a significant reduction in impaired driving deaths. It will work even more effectively at an 0.05 level. Again, both of those measures drive down the number of drinking drivers on the roadways. In effect it also lowers the BAC levels they drive at, and that's where you save lives.

**Dr. Robert Mann:** If I could comment, again you can look at the evidence if you're looking at how things ought to be done. I want to highlight that there are studies in the scientific literature that the roadside suspensions in Canada at 0.05 do not work. They have not had an impact. And there are studies in the scientific literature that show that the criminal actions introduced by Parliament at 0.08 have had an impact, and similar actions have had an impact in other countries.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** You have about 15 seconds left.

[English]

**Mr. Joe Comartin:** Mr. Chair, earlier today Mr. Murie gave me this chart from an article he had from the *Criminal Law Quarterly*, which shows the amount of alcohol you can consume. I thought I knew it fairly well from the time I practised criminal law, but I was a bit surprised at how much you can consume and still not be below 0.05 or 0.08.

It's not translated, but I would like him to circulate it to the committee. Or maybe we could arrange to have it translated.

•(1635)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** You realize that documents that are not in both languages cannot be distributed. You maintain that this is not a written submission, but more like a table. Correct?

**Mrs. Carole Freeman:** I can confirm that for you, Mr. Chairman.

**The Vice-Chair (Mr. Réal Ménard):** Did you verify this, Ms. Freeman?

**Mrs. Carole Freeman:** We're talking about numbers, which are bilingual. Of course, the title would need to be translated.

[English]

**Mr. Joe Comartin:** I have another question.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Do you have one last question, Mr. Comartin?

[English]

**Mr. Joe Comartin:** I want to go back to this issue of the criminal record, which obviously counsel is concerned about.

Mr. Murie, do you see that as being essential? In order to enforce 0.05, do we have to do it under the code and impose a criminal record?

**Mr. Andrew Murie:** No. Others have presented to the federal Parliament on having a federal 0.05 with a limited criminal record for a short period of time. We propose if there's no reoffence that it automatically go away in two years. We recognized that when we made this proposal. We don't want the person with an 0.05 offence to have a long-time Criminal Code record that restricts the ability to travel, get a job, and those type of things, so we took that into consideration. We feel very strongly that the benefits of doing it federally far outweigh a patchwork system at the provincial level.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you. I'm now going to turn the floor over to Mr. Petit, since nine minutes have already elapsed and I would like all of my colleagues to have an opportunity to speak.

Go ahead, Mr. Petit.

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** Thank you.

Good afternoon, Mr. Marchand, Mr. Therrien, Mr. White, Mr. Murie and Ms. Miller.

I will try to summarize my question. Most likely either Mr. Marchand or Mr. Therrien will be able to help us.

When a driver is stopped during a roadside spot check and found to have a BAC of 0.08%, a multi-stage process is initiated. There is still no random testing system in place, or if there is one, it may not be accepted and could even be challenged. I think you are in all favour of a random testing system. My question is directed to Mr. Marchand.

When random testing is in place, people are afraid of being arrested and charged, of having to pay fines, and so forth. In my province of Quebec, when an accident occurs, if you are charged

with a criminal offence, that does not necessarily mean you are charged with a civil offence. The person you may have injured or killed will be compensated by the Société de l'assurance automobile du Québec. A no-fault system was introduced in 1977.

Before 1977, when alcohol was a factor in an accident, pursuant to section 3 of the insurance company legislation, companies were not responsible for covering damages to a vehicle or personal injuries. Pursuant to the Payette act, which you are equally familiar with, the Government of Quebec assumes partial liability for bodily injuries. Section 3 of the Automobile Insurance Act has been repealed. However, while insurance companies must now cover material damages, i.e. the cost of repairing the car's body work, they turn around and increase their insurance premiums.

We are working together to find ways of increasing people's awareness of drinking and driving and of scaring them. We don't want to send them to prison.

Take, for example, a resident of the small town of La Sarre in the Abitibi region. He must travel 50 kilometres every day to his job in a lumber mill. The family owns only one vehicle, as is often the case. One evening or weekend, after leaving the town bar, he his pulled over and charged. The town has no taxi or transit service. He has no choice but to stay home.

Personally, when I stop in for a drink in Montreal, I don't have a problem because I can catch a taxi or the subway, or walk to my destination. Something isn't quite right here. Yet, when a person finds himself in a bind, he turns to the courts and challenges our legislation. His case may end up before the Supreme Court, cancelling out all of our hard work.

Would you care to propose some solutions, aside from random breath testing and ignition interlock devices?

•(1640)

**Mr. Raynald Marchand:** You are quite right, Mr. Petit. It is indeed not easy for these people.

Some solutions could be integrated into the highway safety code, although this is not yet the case in Quebec. There could be certain things at stake. For example, in the not-too-distant future, in Ontario, offenders will be required to take part in programs lasting three days, a week or a month, to determine if they have an alcohol dependency problem and to attempt to address their addiction.

Even if the penalty in Quebec for this offence is a one-year license suspension, those who qualify may, after three months, drive a vehicle equipped with an ignition lock device during certain times of the day. This is important for people living in rural areas where alternative services are not available.

If the Criminal Code is amended and the BAC lowered to 0.05%, even more people will be pulled over under Criminal Code provisions, rather than under the highway safety code. It is unfortunate that Quebec has not followed the lead of the other provinces. However, surely it will conform one day, since the other provinces and territories have already implemented these measures. Therefore, pursuant to the highway safety code, the BAC limit is 0.05%. The code also sets out penalties of three days, one week and even up to two weeks, rather than four- or twelve- hour license suspensions. Criminal Code provisions apply to those found to have a BAC equal to or over 0.08%.

**Mr. Daniel Petit:** May I ask one last question?

**The Vice-Chair (Mr. Réal Ménard):** Go ahead.

**Mr. Daniel Petit:** In Quebec, if a driver is arrested for having a BAC of more than 0.08%, but his case has not yet gone to trial, his driver's license is suspended for either 30 days or 90 days, pursuant to the highway safety code.

**Mr. Raynald Marchand:** I believe the suspension is for 90 days.

**Mr. Daniel Petit:** However, if this individual does not drive for 90 days and is eventually exonerated, then the principle of reverse onus does not apply. Is that correct?

**Mr. Émile Therrien:** No.

**Mr. Raynald Marchand:** In fact, under the highway safety code, a person's driver's license is suspended for 90 days from the time the charge is laid. If this person has not appeared in court within this 90-day period, his license is reinstated, pursuant to the provisions of this same code, until such time as he makes a court appearance. However, if, after two weeks or 30 days, the Crown decides not to prosecute this individual, then his license is reinstated.

**Mr. Daniel Petit:** I believe Mr. Mann touched on some medical considerations.

In Quebec, a person involved in an accident is charged if his BAC is 0.08%. That person must subsequently undergo testing to determine if he has an alcohol addiction problem. This test which was developed by the Société de l'assurance automobile, costs \$581. However, there is a shortage of people to administer this test. Could this be the problem?

**Mr. Raynald Marchand:** Are you referring to the Alcofrein program?

**Mr. Daniel Petit:** No, I'm talking about the program where the Société de l'assurance automobile asks people who have been stopped to prove that they are not addicted to alcohol, among other things, by providing a medical certificate.

This too may be a problem area, Mr. Mann. We are talking here about administrative matters.

[English]

**Dr. Robert Mann:** Yes.

I would like to comment on that. I think Quebec's program is widely recognized as an excellent program in that regard, and most or perhaps all the other provinces now have an assessment component to their remedial programs where offenders come in and are assessed in terms of the alcohol, drug, and other problems they're experiencing and the kinds of risks they have.

In Ontario, it's used to determine the level of program they're screened to and what kind of involvement they need to have with the program in order to complete the program requirement.

I think it's recognized that these are important components of the system to deal with these individuals.

One of the studies of convicted drinking drivers we did a number of years ago involved a sample of about 700 second offenders. We followed them for 8 to 13 years to see what killed them. When we look at the elevations in mortality rates, it turns out that the profile we see of what kills a group of second offenders is what we see when we look at what kills our alcoholics coming in for treatment. They are six times more likely to die from a liver disease, seven times more likely to die from alcohol-dependant syndrome, twice as likely to die from accidental and violent causes like suicide, collisions, falls, and fires, but that was the largest number of deaths.

So it's absolutely clear that in the group of convicted offenders we see a large number who have drinking problems or early-stage drinking problems, and from an addictions treatment perspective, this represents a good way to address these folks at this early stage.

So I think that's widely recognized now, and I believe most if not all provinces have a way to try to accomplish that.

• (1645)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much.

Thank you, Mr. Petit.

Moving along, next up is Mr. Lee. It's always a pleasure to hear from you.

[English]

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Thank you, Mr. Chair.

I want to preface my remarks with three things. First, I was stopped at a spot check on Saturday night at the crossroads of the 401 and Yonge Street in Toronto. It wasn't a problem, but it was a big spot check and it was clearly there for a period of time. I mention this to make everyone feel better that this kind of thing is going on, the random spot check.

Second, I spent a few hours last week at Heathrow Airport looking at their systems for screening out drug swallows, as they call them, the importers bringing drugs in by swallowing them. They have to pick these people out of aircraft that have 300 people on them. They have machines and dogs and all kinds of things. It's a tough job. They have the airport customs authority, which is a lot different from what we would have on the street here trying to find a drunk driver randomly.

Finally, I sat on this committee in 1999, so there's a bit of pride in authorship here, and it might be a tough sell to get me to change my mind nine years later. But all the other faces here are fresh faces, good minds, and they're listening. I'm saying that to MADD principally, but also to the other witnesses.

I want to ask a question that to me is fundamental. I appreciate that almost anything we could do to reduce deaths would have a huge plus in it. I say that in theory. But when it comes to the practice, we end up with practical challenges.

I'm going to direct my question to Mr. Murie. The provinces have been able to address the 0.05 to 0.08 category through their administrative penalties, without having to involve themselves in the application of criminal procedures, which require a relatively intense investment in procedure and infrastructure. They've just been able to do it. It may not be working as well as you'd like, but it's got to be working somehow. It allows a quick response to a drinking driver. This is exactly what enforcement of every other criminal statute would entail anyway. It's not whether the guy is going to get a six-month or a two-year sentence that deters him; rather, it's the prospect of getting caught.

I think the provinces, with the exception of Quebec, have stepped up to the plate and have done a good job. I'm happy to spend millions of dollars, or require the provinces to spend millions and millions of dollars, to save an extra 100 lives, or whatever the data works out to be. But I put to you this question: do you think we have to go there? Do you think we can improve the 0.05 to 0.08 administrative response in a way that would obviate the need to criminalize the 0.05 to 0.08? Is there another way we can do this?

**Mr. Andrew Murie:** There are two ways you can do it, and we've talked very openly about that. You can do it through the Criminal Code or you can do it through the highway traffic act. What we now know is that impaired driving costs the Canadian public \$11 billion a year. That's the estimate. So we're not talking a few million; it's \$11 billion a year. It's quite a high cost to the economics of our country.

The second thing is, I disagree with you, the provinces have not stepped up to the plate. Mr. Mann just referred to the fact that the provincial legislation on 0.05 to 0.10 does not work and is ineffective. It has had no impact on drinking drivers. If it's to be effective, there has to be good enforcement of it, so that's where the random breath testing would enhance it. The second thing is, it has to be a wake-up call for that drinking driver. A 12-hour suspension does not do it. Also, having this patchwork quilt of different sanctions across the country does not allow us to educate the Canadian public. Effective administration of the law and good public education will change the behaviours of Canadians when it comes to drinking and driving. That's what we need. We've been very clear with that.

You could also do that federally with 0.05—with penalties taken into consideration. We don't want the severity of the current Criminal Code penalties, but it could be a 45-day licence suspension. There could be other ramifications for repeat offenders while keeping the fine reasonable, a ticketing offence, which saves on police and judicial costs as well.

So there are effective ways of doing this. We have made two proposals: one that's done provincially and one that's done federally, taking into consideration all that has been expressed since 1999.

● (1650)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you.

The next member on the list is Mr. Dykstra.

[English]

**Mr. Rick Dykstra (St. Catharines, CPC):** Thank you, Mr. Chair. It's good to see you doing such a good job in your position. I certainly admire the work you've done this evening and afternoon.

Mr. White, I do have a couple of questions. One of the things you mentioned was the prospect of raising the penalty according to the amount of blood alcohol in someone's system. Is that correct?

**Mr. Chris White:** Correct.

**Mr. Rick Dykstra:** I'm trying to determine how that would work. Generally speaking, in law, the severity of the crime and the result of the crime are what determine the severity of the penalty or the sentence. You're suggesting that we actually have a schedule that says if you're at 0.08 or if you're at 1.1, depending on how significant or how serious it is.... Have you researched that to find out how that would survive a test in a court of law?

**Mr. Chris White:** We haven't researched it from the perspective of how it would stand up in a court of law, but we heard a number of things when we surveyed our members. One is, because there is an inconsistency in terms of applicability from province to province, they are looking at—and I think some of the other witnesses have spoken to this—sort of a common standard that can be applied from one province to the next.

We look at people who are chronic offenders, and we know, for example, that if they're caught, their sentence is X. But if they're caught again, we'd like to see it be more severe. Clearly we know it goes up, but, for example, when it's 0.08 or over, there doesn't seem to be.... I could be 0.1, I could be 1.5, or I could be 2.4; there doesn't seem to be a delineation in terms of the severity.

What our members tell us when we do our annual surveys is they would like to see that type of delineation. Now, how that would stand up in a court of law...we certainly haven't gone to the Canadian Bar Association. We haven't done that kind of analytical work. But from their perspective, that's something they would like us to at least consider, to see whether there is any appetite and any legitimacy to that kind of a scope, if you will.

● (1655)

**Mr. Rick Dykstra:** On your last point, certainly there may be an appetite for it; the question is whether or not it actually has grounding in a court of law. Partly the study is determining what we can do to address the issue, and how to do it, in terms of legislation.

So if it is a recommendation that you're making on behalf of the membership, I think it might be in your best interest to find out and determine whether or not that actually would survive a challenge, because at this point I'm not sure it would. But thanks, I do appreciate that.

To Mr. Murie, I want to be clear on a couple of the comments you made. One thing you said at the outset was that you're not necessarily in favour of harsher penalties because that won't necessarily drive down the number of impaired driving convictions we have in this country. Is that fair?

**Mr. Andrew Murie:** That is correct.

**Mr. Rick Dykstra:** Okay. I want to counterbalance that a little bit.

I did hear you say that there should be a greater number of days with respect to a suspension, that there should be a greater number of random breath tests taking place. You argued that lowering the rate to 0.05 would eliminate more drunk drivers from the road—or get higher convictions, I suppose.

I guess I would argue that you actually are presenting a case for harsher penalties. I just wanted to give you the opportunity to say... and I'm not trying to pin you into a corner here. However, on the one hand, you're talking about not moving into a harsher penalty for what we're doing. On the other hand, your three recommendations certainly suggest to me that it would be a harsher penalty or certainly a harsher action on behalf of the crown.

**Mr. Andrew Murie:** When I speak of no more harsher penalties, I'm talking about taking our existing laws, like the 0.08, and adding increased penalties to our existing provisions in the Criminal Code. What we presented today was that when you look at what we're talking about on suspensions on 0.05, it is dramatically less, 45 days less, than the current one-year driving prohibition. So it's less, but it can be effectively done in a much more efficient way. Police can lay more charges.

The whole premise of this is to drive down the number of drinking drivers on the roadway. As I said earlier, it's about working effectively, using the tools that have worked worldwide.

So it's not a case of applying more harsh penalties than what we have now. It's a case of looking at new techniques—like 0.05, like random breath testing—for deterrence rather than punishment.

[*Translation*]

**The Vice-Chair (Mr. Réal Ménard):** This will be your last question.

[*English*]

**Mr. Rick Dykstra:** Thanks.

I know Mr. Marchand would like to respond as well. I am just going to put one question to Mr. Mann, and hopefully Mr. Marchand will have the time to respond.

Mr. Mann, I was interested in your comments about the legal limit study from 1998 that showed you'd prevent up to 155 deaths, getting to a lower rate, by lowering the limit. I wonder if you could just expand for a couple of moments...or I guess you don't have that long. Perhaps you would give just a brief response on the tests that brought you to that result.

**Dr. Robert Mann:** We looked at studies from Australia and Europe that examined what happened when legal limits were lowered to 0.05 in Australia and in European countries. The studies were looking at collision fatality rates and using econometric analyses that controlled for things like alcohol consumption levels in the population and other known factors that affect collision mortality rates—weather conditions and so on.

In those studies, what they found was that when the legal limit was lowered to 0.05, there was a 6% to 18% reduction. The range of reduction was 6% to 18% in fatality rates. That's where that range comes from of between 185 and 555 deaths prevented if we apply that to Canadian roads.

[*Translation*]

**The Vice-Chair (Mr. Réal Ménard):** Thank you.

Thank you, Mr. Dykstra.

Mr. LeBlanc, you have the floor.

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Thank you, Mr. Chairman.

I agree with Mr. Dykstra that you are doing a fine job chairing this meeting. It makes sense to have the Bloc Québécois chair some meetings. We support this initiative.

● (1700)

[*English*]

This has been a very interesting discussion. I've enjoyed the presentations and learned a lot from all of you. Thank you.

Mr. Lee is a veteran of this committee, having been here when the report was done some years ago. I'm probably the newest member of this committee, so I'm learning about the work this committee is doing on this particular study.

In terms of the work done by MADD, I had a very interesting meeting in my constituency last summer. A woman called Renelle Leger decided to start a chapter of MADD in Kent County in rural New Brunswick, about half an hour from Moncton, with a group of students whom she'd graduated from high school with who are now at university or college. They began a chapter and had a series of events to raise money, and I found their enthusiasm and devotion to the good work that MADD does very impressive.

What motivated them to begin this exercise, and if we have time I'd be curious to hear from all of you.... We've talked a lot about the technical aspects of the criminal law, of highway traffic legislation, roadside alert tests versus breathalyzers, and that's obviously an important part of a justice committee's work. I certainly have the sense, listening to them, and it's anecdotal but I thought compelling, that there's been an increase in the number of young people who are drinking and driving or impaired by drugs. There seems to be a sense among young people that if you smoke marijuana you either can't get caught or that it doesn't have the same effect. There's a naïveté, I think, in a lot of the thinking that goes on in high schools.



I wonder if there's any evidence to support the idea that young people are increasingly getting caught when driving impaired, and what specific measures you'd advocate. I understand the graduated licence thing, which didn't exist when I got my driver's licence. I think it's probably been quite effective and it's a good beginning.

Am I right in thinking that the number of young people driving impaired has increased? If so, other than specific legislative changes, what policies or what actions would you encourage the government or Parliament to take to try to address that?

**Mr. Andrew Murie:** First of all, you're correct in your assumption, and there's a perspective to look at. If you go back to the 1980s, 70% of teen deaths were alcohol-related. That number has dropped into the 40% range, so we have made progress with our young people. But as a percentage of licensed drivers, they're still the most overrepresented in the group of drivers who have been fatally injured by alcohol. So we still have progress to make.

The other issue of concern with young people especially is that of cannabis and driving. Student surveys clearly show the rates of cannabis and driving at high school levels have now exceeded the drinking and driving levels. Bill C-2 will go a long way in resolving some of those problems because now police will have the tools to apprehend drug-impaired drivers. So there's a perception some young people like to get out there that they're not the problem anymore, it's their parents, it's other people. But we still have a lot of work to do with young people.

On the solution side, it's mostly administrative; it's not criminal. As our friends here from the Canada Safety Council said, the zero BAC has been a very effective tool; it's part of graduated licensing. One of the things MADD Canada is doing with all the provinces is recommending zero BAC to the age of 21 or the first five years of driving. So far, Manitoba and Nova Scotia have adopted that, so we're making headway. Just as much as we work here at the federal level, we do a lot of work provincially.

We feel that if zero BACs to 21 were done in most jurisdictions, hundreds of young people's lives would be saved. That's the most important thing that can be done. Also, the other piece for young people is random breath testing, the fact that police can intervene and put young people back to the beginning or take away their licence. Young people, more than any other group, want the privilege to drive, want the opportunity to drive. So consequently, they, more than any other age group, will follow the rules, especially because it's not their motor vehicle.

• (1705)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Are there any other comments?

[English]

**Mr. Reynald Marchand:** In Canada we've clearly done a pretty good job with the 0.08. It's quite effective and right for those at that level. We have the zero BAC for new drivers. Then, as in Ontario, once you get to the next level you remain at zero BAC until you get a full licence, which may be at age 21.

But part of what exists now at the provincial level isn't complete. It's a work in progress that needs to continue. In Ontario right now, if

you exceed the speed limit by 50 kilometres an hour you lose your vehicle and your licence for a week. But if you drive at 0.07 you will get a 12-hour suspension. Later on this year it'll be three days; it should probably be a week or two. But we don't want to throw in the towel with the provinces. We believe they are making progress, and if we work with them it might take another three to five years. But we will get there, and I think that's what we want.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** Thank you, Mr. LeBlanc.

Mr. Calkins, you're up next.

[English]

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Thank you, Mr. Chair.

I certainly appreciate the comments from our witnesses here. My line of questioning is going to be a little different—my first question anyway.

I want to get some insight from our witnesses on what happens when somebody has been charged or convicted for impaired driving, goes through the system once or maybe twice, and learns the nuances of the system. They become educated on how to fight an impaired driving charge and become more and more savvy at getting away with essentially what a first-time person might otherwise be convicted with.

Mr. Mann, you responded to a question by saying that most of the convictions are for first-time offenders. Is there any evidence or are there any studies that would lead us to believe that someone who has the experience of going through an impaired driving charge, because it's so technical and onerous and there are so many loopholes...? Is one of the reasons why most are first offences because it's so hard to get a second and third conviction on someone? Is there anything that would lead this committee to believe that is the case?

**Dr. Robert Mann:** I think you need to keep in mind in all of this that your actual chance right now of being apprehended if you're driving while impaired is quite low. That applies whether you're a first-time, second-time, third-time, or fourteenth-time offender. So that may have something to do with the statistics we see now on the low number of second offenders and multiple offenders that come back into the system.

I think the system is challenging for individuals to deal with. In good jurisdictions about 60% of individuals come back into the system after completing remedial programs, interlock programs, and getting relicensed. But then it seems there's a substantial portion we don't see any more. We're concerned about them and what they're doing out on the road.

That's one of the reasons why we're in favour of more effective interlock legislation that will provide a way to keep these folks involved and engaged in the system, rather than perhaps being out driving without a licence or insurance. So that's a major concern for us.

**Mr. Blaine Calkins:** Is there anybody else who would like to comment on that?

**Mr. Andrew Murie:** We've done two studies on suspended drivers, mainly looking at people who were originally charged with impaired Criminal Code offences. We found that approximately 50% of convicted impaired drivers in Ontario never returned to the system. In Saskatchewan it was 30%.

It goes to what Dr. Mann was speaking about earlier. The apprehension rate of getting caught, whether you're driving impaired or while suspended, is very low in Canada because what police have to go through, even in a sobriety checkpoint, is cumbersome. They're still looking for reasonable suspicion.

Studies in the United States show that even when the person's BAC is over the legal limit of 0.08 or greater, 50% of them go through police spot checks undetected. People who are chronic alcoholics have a lower detection rate because they don't show the obvious signs of intoxication. This is again ample proof why we need random breath testing in this country. We need to give the police the tools to apprehend all kinds of drinking drivers and drive that number down. There's no doubt about that. It will also be very effective in keeping suspended drivers off the roadways.

• (1710)

**Mr. Raynald Marchand:** If I may echo Mr. Murie, the people who have a tolerance, who have been doing it for years, are often difficult for officers to identify as impaired. Imagine how much more difficult it's going to be with these individuals, under the Criminal Code, when we're at 0.05. They won't show much impairment at all.

**Mr. Blaine Calkins:** Mr. Chair, do I have time for another question?

**The Vice-Chair (Mr. Réal Ménard):** Yes.

**Mr. Rick Dykstra:** If I could just make a point that—

**Mr. Blaine Calkins:** Well, I'd like to get to my next question, if you don't mind.

**Mr. Rick Dykstra:** Sorry.

**Mr. Blaine Calkins:** My experience has been that of course we're dealing with evidence. The evidence is a blood alcohol content. That involves, obviously, some charter issues.

When you're dealing with the destruction of evidence—for example, consuming alcohol after a motor vehicle accident, if somebody were to do to that.... Mr. Cannavino, who was here at the last meeting, basically said on the record that this is what's happening. People hit and run, leave the scene of an accident, take a

drink to ruin the evidence, do whatever they can to be able to get off on a technicality.

I'm wondering, from your perspective, if there are any recommendations you have for our committee for how we could change the current impaired driving laws to basically get rid of that loophole, so that somebody who destroys the evidence, which is the blood alcohol content, would be, let's say, more easily convicted.

**Mr. Émile Therrien:** Could I just respond to that?

We mentioned the RIDE program in Ontario. I hate to sound parochial, but we follow what goes on in Ontario. If you look at the 600,000 cars that were stopped, it would be very interesting to find out how many of those people took off—very few.

I would be very suspect of what the Canadian Police Association said on that. It's not a position shared by the Canadian Association of Chiefs of Police.

[*Translation*]

**The Vice-Chair (Mr. Réal Ménard):** Thank you very much.

If there are no objections, I will turn the floor over to Mr. Moore who has not yet had a chance to ask any questions.

Mr. Moore.

[*English*]

**Mr. Rob Moore (Fundy Royal, CPC):** Thanks to all the witnesses. It's been an informative meeting. I appreciate all the work done by each of your groups.

A couple of you mentioned the bill that we've already introduced on impaired driving, which deals with driving while impaired with drugs as well as alcohol limits and some of the defences. We know that the impaired driving sections in the Criminal Code are taking up an ever-growing and disproportionate volume. We've heard your calls for us to address some of the defences, such as the two-beer defence and the last-drink defence. You also mentioned the need for drug recognizance experts to deal with the problem of drug-impaired driving.

We know it is not yet law—it's still in the Senate—but we're hopeful that, shortly, Canadians will be served by the protection of that bill when it becomes law.

I want to talk a bit about something raised by each one of your groups. Unanimously you raised the issue of ignition interlock devices. There haven't been many questions about that. From the evidence you gave, we know the participation rate is low, yet most of you testified that these are effective where they are used.

What are some of the things we can do on the issue of the participation rate? What are the benefits of the device? And, if you will, what are some of the limitations with the ignition interlock device such that we'd have to come up with other mechanisms for instances where they fall short? Can each of you comment on that?

• (1715)

**Mr. Andrew Murie:** The research on the ignition interlock is very strong, especially when it is on the vehicle. I really believe that the ignition interlock problem should be under provincial jurisdiction. That's where it belongs, and that's where the most innovation could be done. That's where the greatest relationship between the person on the interlock and the authorities could be.

One of the things that Canada has so far failed to do in its interlock programming is make it performance based. Right now the interlock is put on the vehicle, and usually it's taken off after a given period of time, largely following what the Criminal Code allows. For a first-time offender, it's three months' hard suspension, nine months on the interlock. At month 12, regardless of performance—even though the person's showing signs that they'll reoffend or return to old habits—the interlock is removed from the vehicle.

We'd like to see the federal Criminal Code amended so that we don't have those long hard suspension periods, which cause inconvenience to the province and also teach convicted drinking drivers how to drive suspended and not get caught. So that's very important.

Once we have that, the province needs to make it mandatory and performance based, and I think you'll see participation rates go up, and you'll also see the number of impaired driving deaths go down slightly. You have to remember that it's not going to have the wide ramifications of a lower BAC or random breath testing, because it's only dealing with the convicted market. Those other factors deal with the whole population that might drink and drive.

**Mr. Émile Therrien:** I gather the prohibition against it is the cost. It is \$150 a month, and it is really prohibitive for a lot of people.

**Mr. Raynald Marchand:** As prevention, this potentially could be brought down. I do agree that the interlock system should be introduced as soon as possible. Whereas in Quebec they can do it after three months, at one point in Ontario they had to wait a year, and then it was a year with the interlock. By this point they have learned that they can get away with driving under suspension, and they wait a second year before they finally get their licence, so they stay out of the system.

It should be mandatory that it be introduced early on, and it should be performance based, i.e., if you are still showing signs of impairment, the vehicle doesn't start, and if you're in your twelfth month, it shouldn't stop come the end of the month; it should continue.

**Dr. Robert Mann:** I would like to comment on that. It makes sense to somehow or other provide incentives for individuals to get on the interlock system early and stay on the interlock system through legislation, perhaps working through insurance and so on. I think one of the barriers, for example, to relicensing in Ontario is the high insurance costs. I think it's probably useful to look at that and see what one might do, working with the insurance companies, as a way to encourage people to utilize these devices.

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** This will be your last question.

[English]

**Mr. Blaine Calkins:** Maybe I'll just say a little bit on the interlock. If someone is subject to having the interlock in place, so it's on their vehicle, how are we finding that that person is less inclined to drink and drive? Obviously if someone is going to drink and drive and take that risk, do they not find other means to facilitate that? At what point in someone's thought process are they being stopped from drinking and driving by a vehicle equipped with the ignition interlock? I would think it's not actually at the point where they get into their vehicle and go to start it. I would think it's at some point earlier. Or do you find that literally they go out, have some drinks, get in their vehicle, and find the vehicle won't start? So at what point in the process does the device impact on someone's actions?

**Mr. Rob Moore:** It's very interesting when new people go on the interlock. They always test it to see if it actually works. So they actually take a couple of drinks, blow into it, and then find out it does work.

The second thing is there are a lot of phone calls in the first month, early in the morning, saying that the interlock doesn't work. What happens is they've been out drinking all night long, they've had five hours of sleep, and they have an elevated BAC. When they go to start the vehicle, they think that because they've done this all their life, their blood alcohol has gone away in those few short hours. In fact, it prevents them from driving in the morning. So it teaches them how to separate their drinking from their driving. That's one of the behavioural changes.

The cost is significant at \$150, but if you work it out, it's about a drink a day. They have to reduce their drinking to be able to use the interlock kit effectively. So it actually pays for itself at the end of the time.

• (1720)

[Translation]

**The Vice-Chair (Mr. Réal Ménard):** You're already nearing the eight-minute mark.

You have time for one last question, Mr. Bagnell. After that, we will move on to two housekeeping items that the clerk has brought to my attention. You have the last word.

[English]

**Hon. Larry Bagnell:** I just have a comment first, as much for the committee as for the members. MADD made a suggestion that sounded great, and normally it would be great, that you would have the thing, but in two years it would automatically go away if there was no reoffence. Had I not been a member of Parliament, and perhaps one beside the United States, I would have thought that was great. The problem is that when you get a record, it doesn't go away in the United States. There are ways to pay and get it off, year by year, but it's a pain in the neck. We've had all sorts of cases.

But that's not my question, and I only get one question.

Mr. White, I feel sorry that you've been here for two hours and no one has asked you a question. I had one for my first round, and that was whether there are other things the automobile industry is coming up with that would be able to stop all of us from drinking and driving. Are there things on the research drawing board that would stop everyone, whether or not they've been convicted, that would be part of a car's mechanism?

**Mr. Chris White:** Not that we've seen. But to the point that everyone has raised, I think an interlock is clearly one of the most revolutionary pieces of technology. Of course, the cost is prohibitive. I think it's somewhat analogous, though, to what we see with a lot of the higher-end cars. Electronic stability control is an example. You always see features introduced at the very high end, and then they slowly work their way down to the lower-end cars.

But there's nothing we've seen. I don't know, Mr. Murie, if you've seen anything.

**Mr. Andrew Murie:** Absolutely. There's a panel that's been formed in the United States. We just got \$10 million in funding from the National Highway Traffic Safety Administration. Transport Canada representatives and I sit on it. Our goal over the next five years is to develop a passive alcohol sensor. When your skin touches it, it reads your BAC level, and automatically, at a certain threshold, it will not allow that car to start.

So we're working on it, and all of the automobile industry is at the table. Our hope is to have a prototype in five years that can be introduced into the worldwide global car market at point of manufacturing.

**Mr. Raynald Marchand:** My understanding is that Saab has had some success with some of that technology, but it's still experimental.

**Mr. Andrew Murie:** It's not what we're—

**Mr. Raynald Marchand:** We're not there yet.

[*Translation*]

**The Vice-Chair (Mr. Réal Ménard):** Thank you, Mr. Bagnell.

Before we adjourn today, I want to remind you that on Thursday we will be proceeding with the clause-by-clause study of Bills-203 concerning cruelty to animals. As the clerk is requesting, kindly forward your amendments by the end of the day tomorrow, that is no later than 3 p.m. or 4 p.m.

Do we know if many colleagues plan to propose amendments? I believe Mr. Comartin had indicated that he would probably be putting forward some amendments. We're not asking how many amendments you have exactly, but will you have more than ten?

**Mr. Joe Comartin:** I will have about a dozen amendments.

**The Vice-Chair (Mr. Réal Ménard):** I don't think the Bloc plans to propose any amendments. Does the opposition intend to move some amendments to the cruelty to animal bill? No.

Does the government intend to move any amendments? No.

Tomorrow, the steering committee is meeting to discuss billsC-25 andC-27. We would also ask that those who have not yet done so submit their list of proposed witnesses.

Thank you to our witnesses. Thank you, colleagues. It would be appropriate at this time to move an adjournment motion. So moved by Mr. Petit.

The meeting is adjourned.

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