



*Ontario Stakeholder Consultation
On Senior Commercial Vehicle
Operator License Renewal Requirements*

Ontario Ministry of Transportation

**SUBMISSIONS OF
THE AMALGAMATED TRANSIT UNION, CANADIAN COUNCIL**

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SUBMISSIONS OF THE AMALGAMATED TRANSIT UNION CANADIAN COUNCIL

INTRODUCTION

These are the submissions of the Amalgamated Transit Union, Canadian Council (“ATU”) in response to Ontario’s Stakeholder Consultation on Senior Commercial Vehicle Operator License Renewal Requirements.

Founded in 1892, the International Amalgamated Transit Union (“ATU”) is the largest labour union for transit workers in North America. The ATU membership includes bus, subway, light rail and ferry operators, clerks, baggage handlers, mechanics and others in public transit, inter-city and school bus industries.

Established in 1982, the Amalgamated Transit Union, Canadian Council is the highest authority and voice in Canada for the ATU on all issues of Canadian interest including legislation, political, educational, health and safety, cultural and social welfare matters. Representing over 28,000 public transit and inter-city bus workers in Canada and 20 locals in Ontario, many of the ATU’s members would be affected by any changes to commercial vehicle operator license renewal requirements in Ontario.

THE PROPOSED REFORMS

A. The present situation

Since June 15, 1984, Class A, B, C, E and F holders aged 45 years and under are required to pass a knowledge test and submit a medical report every five years in order to renew their license.

Class A, B, C, E or F holders aged between 46 and 64 years are required to pass a knowledge test every five years and submit a medical report every 3 years.

Class A, B, C, E or F holders aged 65 and over required to pass the following annual tests and/or submit the following reports in order to renew their license:

- Vision Test
- Knowledge Test
- Road Test
- Air Brake Test

The Medical Reporting requirements for these license holders are in keeping with the requirements suggested by the Canadian Council of Motor Transport Administrators (“CCMTA”). The Vision Testing, Knowledge Testing, and Road Testing requirements surpass the requirements of any other jurisdiction in Canada, and are not specifically recommended by the CCMTA, though are arguably in keeping with its suggestion that aging factors be taken into account when considering licensing privileges.

Class D license holders aged 80 and over are required to have and/or submit the same annual tests and reports as set out above in order to renew their license. There are no testing or medical requirements for license renewal for a Class D license holder before she or he turns 80 years of age.

The testing requirements can be completed at a Drive Test centre or through the Driver Certification Program, which allows recognized employers to conduct renewal testing for commercial license holders. There is a fee for all Road Tests for commercial vehicle operators aged 65 and over.

B. The proposed reforms

The review was initiated in response to concerns about the Class A license renewal process, but a comprehensive policy review was deemed necessary for all commercial license classes to ensure consistency among license classes, particularly given that many commercial license holders hold more than one commercial license class.

The options under consideration for Class A, B, C, E and F license holders are the following:

Option 1

Annual medical reports required from age 65 and up

Renew license every two years from age 65 to 71, every year thereafter and with vision and written knowledge tests

Road test required if driver has at least 3 demerit points, collision with driver action other than “proper” or driver condition other than “normal” or a CVOR infraction (if applicable)

OR

Option 2

Annual medical report required from age 65 and up

Full renewal testing every five years from age 65 to 80 and every year thereafter

The options under consideration for Class D license holders are the following:

Option 1

Introduce license renewal testing in line with other commercial classes (listed above)

AND/OR

Option 2

Require cyclical medical reports (annual from age 65 and up)

In addition, failure to file a cyclical medical report reports would result in a downgrade from a Class D license to a Class G license.

C. The ATU's position

In light of recent changes to mandatory retirement in Ontario, many of the ATU's members are choosing to work past the age of 65. Therefore, the ATU has a vested interest in any changes to commercial license renewal requirements that would affect its members aged 65 or more.

The ATU supports Ontario's attempt to provide an efficient license renewal process for commercial vehicle drivers that also promotes road safety. It also supports the idea of consistency for commercial license holders, particularly in light of the fact that many of its Ontario members are required to hold more than one class of license.

The ATU submits that the second option under consideration for Class A, B, C, E and F license holders (Option 2 for Class A, B, C, E and F) would be in the best interests of its members, as well as the public's safety. For consistency's sake, it also supports bringing Class D license renewal requirements in line with the renewal requirements of other classes of licenses (Option 1 for Class D).

The ATU recognizes that due to advancing age, some operators may develop health concerns that could result in slowed reaction time or loss of physical strength. It acknowledges that it is in the interests of both the operator and the public for such health concerns to be identified prior to any vehicular incidents that may be caused in part by an operator's health concerns. Requiring all classes of drivers to submit an annual medical report once they turn 65 years of age is in keeping with the recommendations of the CCMTA. It would also ensure that Ontario is in vanguard of provincial safety regulations for commercial vehicle operators, with more stringent Medical Reporting requirements than Manitoba, Quebec, New Brunswick, the United States, and the European Union.

However, there is no evidence that absent health concerns, an operator's knowledge or road skills would be diminished by advancing age. To the contrary, the ATU believes many of its senior operators' wealth of experience makes them safer, more judicious drivers, able to deal with the unexpected nature of their work. The ATU notes that the CCMTA had not made any concrete recommendations that Vision, Knowledge, or Road tests should be required more often than every five years. Furthermore, there is a financial cost, as well as unnecessary time away from scheduled work, every time a senior operator is required to take a Road Test. For those reasons, the ATU supports the requirement that senior operators over the age of 65 and under the age of 80 be required to pass any testing requirements every five years as part of the license renewal process.

The ATU has no objection to introducing more stringent commercial license renewal requirements for Class D license holders, providing that such requirements are in line with other commercial license renewal requirements. Consistent, across the board requirements for all commercial license holders would ensure that there is no confusion amongst ATU members about what is required in order for a senior operator to renew his or her license. The need for consistent licensing requirements is also supported by the statistical data re knowledge pass rates for class “D” drivers vis-à-vis other classes as well as data re relative collisions and number of respective license holders.

CONCLUSION

The ATU commends Ontario for involving stakeholders in its attempt to review the license renewal requirements for all classes of senior commercial vehicle operators.

The ATU is committed to working towards a solution that promotes road safety, as well as the safety and well-being of its members. The ATU believes strongly that the appropriate solution should be efficient, fair and consistent for all commercial license holders. For those reasons, the ATU submits that Option 2 for Class A, B, C, E and F license holders should be adopted, along with Option 1 for Class D license holders.