

# Ontario Motor Coach Passenger Safety Consultation

- Report -

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Prepared by

The Institute On Governance  
<http://www.ioq.ca>



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## I. Introduction

In June 1999, Transport Canada, with the assistance of the Institute On Governance, held a pilot session in Victoria, B.C. to discuss the issue of bus safety and identify possible actions which might further improve Canada's strong safety record. PricewaterhouseCoopers was contracted by Transport Canada, in conjunction with the Institute on Governance, to assist with Bus Safety Consultations across Canada.

Since the pilot session in Victoria, consultations have been held in Moncton, New Brunswick (February 29<sup>th</sup>, 2000), Lloydminster, Saskatchewan (March 7<sup>th</sup>, 2000) and Winnipeg, Manitoba (March 14<sup>th</sup>, 2000). Each session looked at safety issues related to school buses and motor coaches. Due to the large number of stakeholders in Ontario, it was decided two consultations would be held to deal with school buses and motor coaches separately. The first session on School Bus Passenger Safety took place on May 11, 2000 and was facilitated by PriceWaterhouseCoopers.

The Motor Coach Passenger Safety consultation took place on May 12<sup>th</sup>, 2000 at the Royal York Hotel, Toronto, Ontario. The session was organized by Transport Canada, the Ontario Ministry of Transportation and the Institute On Governance, and facilitated by Ms. Claire Marshall and Mr. Phillip Haid of the Institute On Governance. The session involved a wide range of stakeholders including bus manufacturers and operators, public safety and standards organizations, association representatives (transport, motor coach, police and retired persons), transport unions and representatives from the federal and provincial governments.

The session began with some opening remarks and a brief overview of the agenda and objectives for the consultation. The facilitators explained that the workshop was designed to obtain input and feedback from the participants to better understand:

- their concerns regarding motor coach safety;
- their views on installing seatbelts in motor coaches;
- their suggestions on how to prioritize these concerns; and
- their opinions regarding possible strategies to address these concerns.

Ms. Linda Haldenby, Manager of the Road Safety Program Office at the Ministry of Transportation and Mr. Derek Sweet, Director of Road Safety at Transport Canada, welcomed participants and thanked them for attending the consultation. The facilitators then proceeded with an icebreaker exercise where participants were matched in pairs and given five minutes to get to know one another before presenting each other to the group.

The session officially began with a presentation by Mr. Sweet, who outlined the context in which the consultation is taking place. Reference was made to the information packages, Canada's exemplary record on bus safety, the desire to touch base with the public and the special effort made at reaching out to a wide range of stakeholders. Mr. Sweet elaborated on the need to discuss the issue of seat belts given that Transport Canada receives a great deal of correspondence requesting either the installation of seat belts on motor coaches or an explanation of their absence, especially after a bus crash. These questions raised by the general public, made this item mandatory for discussion.

Mr. Sweet noted that following each consultation participants would receive, electronically or by mail, a copy of the report. It was also mentioned that a consolidated report would be

produced in the summer. Participants and other interested parties were invited to review the consultation outcomes on the web site at [http://www.policity.com/worksites\\_transport.htm](http://www.policity.com/worksites_transport.htm). Mr. Phillip Haid from the Institute on Governance elaborated on the web site and provided participants with a document explaining it.

The intent of this Summary Report is to present the views and ideas expressed by the participants at the workshop. The Report endeavors to capture the discussion as accurately as possible, without offering any conclusions. The Final Report will cull all the ideas and suggestions provided in the sessions and on the web site, and offer some overall analysis and conclusions on bus safety.

## **II. Overview of Motor Coach Issues**

In order to ensure all relevant Motor Coach Passenger Protection issues were covered during the consultation, participants were asked to share with the group (initially in triads and then in plenary) issues they would like to discuss. The main issues raised were as follows:

- Definition of a bus
- Drivers – training, licensing, hours of service, speed and behaviour, drug testing, driver injury (baggage), recruitment and retention
- Bus de-regulation and safety standards
- Passengers – special needs, behaviour (alcohol), standees
- Bus maintenance – standards and enforcement, awareness
- Transport of hazardous materials (enforcement)
- Bus Trailers

This list served as the basis for the entire afternoon's discussion. However, before entering into a discussion of these various issues, participants began by looking at the question of seatbelts in motor coaches.

### III. Seatbelts in Motor Coaches

The issue of whether to install seatbelts in motor coaches is a major pre-occupation of Transport Canada. This is primarily due to the public's general perception that seatbelts would increase motor coach safety. During the workshop several seatbelt related issues were raised including, whether seatbelts should be placed in motor coaches and if so what type of belt would be most appropriate, crash testing, enforcement and liability, perception of a belted driver versus and unbelted passenger, and compartmentalization.

General consensus among participants was that two-point seatbelts were not necessary in motor coaches. Several people pointed to the strong safety record and low fatality rate as evidence that a problem does not really exist. Some participants felt the low fatality statistics indicate that the emphasis in resources should go to other issues like the design and seating of buses. While the data is unavailable as it relates to three-point belts, some stakeholders argued that crash testing to test the viability of three point belts would be inconclusive. A few industry participants argued that while crash testing has not been done, it is not required because it would prove inconclusive and expensive. The general feeling was that the industry does a good job investigating real crashes and that the current lessons do not point to the need for seatbelts in motor coaches.

Another related seatbelt safety issue was the question of compartmentalization. While motor coaches do not have the same type of regulated compartmentalization as school buses, stakeholders pointed out that motor coaches are designed to keep passengers in a bus in the event of a crash. Concern, however, was raised for those seated in the front seats where there is nothing stopping them from being ejected out of the bus. Some participants felt this was further exacerbated by the fact that drivers do wear belts while those in the front do not, and that passengers make the occasional request for installation. Questions were thus raised as to whether seatbelts might be appropriate for those seated in the front. It should be noted however, that no conclusions were drawn.

The related issue of windows was also raised due to the potential risk associated with passenger ejection. Some felt the move towards larger windows is a bigger problem than seatbelts because in the event of a crash, windows can separate from the bus under impact, reducing protection to passengers.

The discussion concluded with a general consensus that the largest problem facing the issue of seatbelts in motor coaches was one of public perception. The general feeling was that the strong safety record had not been communicated well enough and that what was needed was some solid documentation from Transport Canada outlining fatality rates, number of passengers carried on a bus every year and the general safety levels. Public education was thus seen as key to any strategy dealing with seatbelts in particular and safety more generally. However, it should be noted that participants felt safety was not a top concern for paying bus users, citing greater interest in having movies and music on board.

In conclusion, the question of seatbelts in motor coaches was not a high priority issue for the stakeholder participants. They also believe it is not much of an issue for other groups associated with the bus industry, or the general paying public.

## IV. Key Safety Issues

There were a number of key safety issues raised during the consultation. Each issue is dealt with in this section, by describing the issue, general flavour of the discussion and possible action(s).

### i. Definition of a Bus

The current definition of a bus involves ten or more passengers being transported.

#### *Issues:*

1. Current definition excludes smaller vehicles – the definition commonly used does not include smaller vehicles that are being used as ‘normal’ buses. As a result, such buses fall outside of safety regulations.
2. A range of definitions exist between the US and Canada – this adds to the confusion, especially as the U.S. looks to move towards an eight passenger definition.
3. Sub-classification – it is necessary to have a clear definition of a bus (including types of buses) in order to classify and sub-classify them when documenting accidents, safety reports and standards.

*Comments:* Discussion revolved around the number of seats and whether service was commercial, i.e. compensated. The group believed a bus should be any vehicle that carries passengers on a regular basis and for compensation. There was no agreement on the number of seats. Participants also discussed the proliferation of smaller vehicles being used for commercial purposes and the general safety problem this causes.

#### *Possible Action:*

Workshop participants identified the need for federal and provincial governments (with the help of the Canadian Standards Association - who is currently working on such standards) to develop a clear definition (including smaller vehicles and design issues) and the adoption of a national standard.

### ii. Drivers

There are a number of issues associated with drivers, including training, hours of service, licensing, drug testing and speed and behaviour.

#### **Training**

*Issue:* Some drivers are inadequately trained and cannot respond to passengers or incidents as they occur.

*Comments:* Participants felt some operators offer training courses to newly hired drivers. Even fewer, they argued, offer refresher courses during employment. A driver simply has to present a license and he/she becomes a motor coach driver. Some participants felt the lack of training was a direct result of driver training being unregulated. Many stated the driver training problem is exacerbated by high turn over rates, since operators may not feel it worthwhile to invest in training if their employees are constantly leaving. Participants also stated that skills in safe driving habits, passenger management and first aid courses should be introduced.

*Possible Actions:* Joint initiative by governments, operators, and unions (or drivers) to:

- Program the engine not to go above a set speed;
- Introduce mandatory and regular testing (not just written testing) during employment;
- Offers skills upgrading: safety, new technology, etc.;
- Make first aid and CPR and passenger management skills (communication skills) a mandatory pre-employment requirement; and
- Educate the public about the role of drivers.

## **Hours of service**

*Issues:*

1. Occasional cheating on log books
2. Confusion as to what is a working day – question of being “on duty” versus “off duty”
3. Inconsistency between US and Canadian practice
4. Customer service versus hours of service
5. Confusion in Canada between buses and trucks.

*Comments:* Participants stated that a bus is not a truck and therefore the two vehicles should be kept separate in regulations concerning driver hours of service. A truck driver is on the highway for long hours with a single destination. A bus drives to several destinations in a day. Down time at a tourist site, though not active driving, still contributes to hours on duty and thus contributes to fatigue. Customers may also request drivers to go the “extra mile” forcing the driver to choose between customer service and pushing the boundaries surrounding their hours of service. The group felt this was one of the most complicated issues under discussion.

*Possible Actions:*

- Public consultation on forthcoming Transport Canada report due late summer 2000
- Drafting rest rules (Operators and Unions)
- Introducing electronic monitoring of hours to reduce log book cheating

## **Licensing**

*Issue:* In Ontario, a truck driver can obtain a general bus driver license (not school bus) by passing a written test only, and is not required to be road tested in a bus.

*Comment:* The problem this posed for many participants is that drivers do not need any prior specific motor coach experience in order to get a motor coach license. One of the major problems according to participants is the lack of consistency across the country.

*Possible Action* – A task force at the Canadian Council of Motor Transport Administrators (CCMTA) is looking into the issue and participants felt nothing more should be done until the results of the task force are made public.

## **Speed and behaviour**

*Issues:*

1. Driver Training
2. Police enforcement
3. Public attitudes (more concerned with getting to destination on time than safety)

*Comment:* Participants felt the main responsibility for this issue lies with bus driver and operators. However, they did feel that public attitudes play a role in the speed buses travel, as paying passengers tend to be unforgiving when buses do not make their estimated time

of arrival.

*Possible Action:* Greater enforcement by drivers, operators and police, combined with a public education campaign to increase support for speed limits.

### **Drug Testing**

*Issues:*

1. Mandatory for cross border but not in Canada making the application inconsistent
2. Drug testing is not public, shared information – protecting the driver and potentially harming the operator and public.

*Comment:* Participants felt that the lack of drug testing in Canada was a safety concern as some drivers may work while under the influence of alcohol and/or narcotics. Some felt that the only way to ensure drivers do not use drugs while driving a bus was to conduct pre-employment testing as well as periodic drug tests.

*Possible Action:* Drug testing in Canada (there was no consensus on this issue – some even oppose it - however, a few participants did mention it as a possible course of action.

### **iii. Bus de-regulation and standards**

*Issue:* Safety may be compromised if motor coaches operate in a free market economy because of competition and the desire to cut costs (through reduced maintenance schedules, older equipment, etc.)

*Comment:* The group felt this had happened with planes and trucks as operators seek to shave corners to reduce prices and attract market share.

*Possible Actions:*

- Introduce a tight regulatory regime on safety requirements
- Introduce oversight mechanism
- Learn from parallel experiences in airline and trucking industries

\*\* De-regulation is currently being studied by the Federal Standing Committee on Transport

*Issue:* Inconsistent standards & regulations

*Comment:* Participants viewed this as a current problem for inter-provincial and international travel. Multiple permits are required for cross border traffic and the different rules create confusion for operators and drivers alike.

*Possible Action:* Clear leadership required by the Federal Government.



#### **iv. Passengers**

There are several passenger issues including standees, access and behaviour.

##### **Standees**

*Issue:* Currently, motor coaches can carry as standees 1/3 of passenger seats in the bus (i.e. a bus with 60 seats can carry an additional 20 passengers standing).

*Possible Action:* The group felt strongly that this was not safe and recommended eliminating standees completely. The only exception was in case of 'need'. For example, in a case where not accepting a passenger as a standee would leave them beside the road in difficult conditions (winter, desolate spot, etc.) The group did recognize the difficulties of this position, citing the potential of buses leaving the terminal half empty in anticipation of passengers at rural stops, etc. They also noted the political difficulty in selling the elimination of standees. Participants were, however, united in the view that standees are a major safety concern.

##### **Access**

*Issue:* Some elderly people have difficulty boarding and maneuvering around motor coaches.

*Comment:* The group believed that equipment and other solutions to the accessibility difficulties of the elderly and other special needs groups was available. They noted motor coaches observe a voluntary code in Canada, although ease of access is mandatory in the US.

*Possible Action:* Participants felt demand would take care of the problem, especially as the population ages.

##### **Behaviour**

*Issue:* Inappropriate behaviour related to alcohol consumption.

*Comment:* The group discussed how alcohol consumption on buses is illegal, yet people continue to drink, and some companies encourage it by loading on alcoholic beverages. The problem is further exacerbated by certain carriers being provided with alcohol permits as a reward for excellent carrier service. Participants believed few people realize that the coach driver could be charged if passengers are found drinking on board.

*Possible Action:* Increased driver training around passenger management. Operators should bring their stated and unstated policies into compliance with the law. The public should be made more aware of illegality and possible charges for drinking on board.

#### **v. Bus Maintenance**

*Issue:* Enforcement - national standards need to be enforced consistently across the country

*Comment:* Participants discussed how enforcement and the consistent application of enforcement are an ongoing problem faced by all jurisdictions. Most stakeholders agreed, however, that the new national safety rating (rating based on performance) enforced by the provinces is a step in the right direction.

*Possible Action:* Provincial adherence to the new safety rating.

## **vi. Transport of Hazardous Materials**

*Issue:* Regulation and better driver awareness of what they are carrying.

*Comment:* Participants did not feel this was a high priority issue, but did recognize the danger associated with transporting hazardous materials.

*Possible Action:* Stricter provincial regulations.

## **vii. Bus Trailers**

*Issue:* Trailers detaching from motor coaches.

*Comment:* Participants did not feel this to be a high priority issue. They did feel however that permits should be enforced (they are presently required in Ontario only for “for hire” buses regulated by the Ontario Public Vehicles Act).

*Possible Action:* The creation of a uniform application of rules requiring permits for all bus trailers.

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## **Appendix A Agenda**

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## Ontario Motor Coach Passenger Safety Consultation Workshop Agenda

*Toronto, Ontario, May 12, 2000*

The purpose of the consultation session is to capture the views of the participants on the issue of motor coach passenger safety. More precisely, we seek to understand:

- Your concerns regarding motor coach safety;
- Your views on putting seatbelts in motor coaches;
- Your suggestions on how to prioritize these concerns; and
- Your opinions regarding possible strategies to address these concerns.

9:00 – 9:30	Coffee
9:30 – 10:00	Introduction <i>opening remarks, workshop objectives, participants' expectations, ice- breaker</i>
10:00 – 10:15	Presentations <i>Transport Canada – overview &amp; context IOG – electronic consultation (e-Bus)</i>
10:15 – 11:00	Overview Discussion: Safety Issues & Concerns <i>overview discussion on motor coach safety issues identification of areas of concern</i>
11:00 – 11:15	Health Break
11:15 – 12:00	Discussion: Seatbelts in Motor Coaches <i>exploration of the pros and cons possible initiatives to address the issue</i>
12:00 – 12:30	Lunch <i>lunch will be provided in the meeting room</i>
12:30 – 2:15	Overview Discussion: Prioritization & Possible Initiatives <i>prioritization of areas of concern identified in the a.m. potential initiatives to address these concerns</i>
2:15 – 2:30	Wrap-up <i>review of overall discussions evaluation</i>
2:30	End of Session

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**Appendix B**  
**List of Participants**

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# Ontario Motor Coach Passenger Safety Consultation

May 12, 2000

Carlo Bevilacqua  
Ontario Legislative Board  
United Transportation Union  
530 Cartier Street  
North bay, ON P1B 8N5

David Carroll  
Ontario Motor Coach Association  
4141 Younge Street, Suite 306  
Toronto, ON M2P 2A8

Dan Davis  
Transport Canada  
Place de Ville, Tower C, 8<sup>th</sup> Floor  
330 Sparks Street  
Ottawa, Ontario

Bob Evans  
Canadian Urban Transport Association  
55 York Street  
Toronto, ON M5J 1R7

Bill Gardner  
Transport Canada  
Place de Ville, Tower C, 8<sup>th</sup> Floor  
330 Sparks Street  
Ottawa, Ontario

Phillip Haid  
Program Manager  
Institute on Governance  
122 Clarence Street  
Ottawa, ON K1N 5P6

Linda Haldenby  
Manager of Road Safety Program Office  
Ministry of Transportation, Road User Safety  
1201 Wilson Ave Bldg A, Rm 212  
Toronto ON M3M 1J8

Sergeant Gordon Jones  
Toronto Police Service -  
Traffic Services Collision Reconstruction Office  
Ontario Association of Chiefs of Police  
Traffic Services, 45  
Strachen Avenue  
Toronto, ON M6K 1W7

Glenn J. King  
Ontario Legislative Board  
United Transportation Union  
530 Cartier Street  
North bay, ON P1B 8N5

Paul Levine  
Canadian Standards Association International  
178 Rexdale Boulevard  
Toronto, ON M9W 1R3

Claire Marshall  
Director  
Institute on Governance  
122 Clarence St.  
Ottawa, ON K1N 5P6

John McGowan  
Canadian Association of Retired Persons  
11 Shenley Road  
Toronto, ON M1K 3V5

Wendy McLandress  
Transportation Policy Branch  
Ministry of Transportation  
2<sup>nd</sup> Floor, West Tower  
1201 Wilson Ave.  
Downsview, ON M3M 1J8

Bill Mocsan  
Manager, Carrier Safety & Enforcement Branch  
Ministry of Transportation  
301 St. Paul Street  
St. Catharines ON L2R 7R4

Paul Murphy  
Motor Coach Industries Limited (MCI Canada)  
1149 St. Matthews Ave.  
Winnipeg, MB R3G 0J8

Glenda Prudom  
Carrier Safety & Enforcement Branch  
Ministry of Transportation  
301 St. Paul Street  
St. Catharines ON L2R 7R4

Kathy Soundy  
Director of Driver Development and Safety  
Organization: Laidlaw Education Services  
3221 North Service Road  
Burlington ON L7R 3Y8

Derek Sweet  
Director, Road Safety  
Transport Canada  
Place de Ville, Tower C, 8<sup>th</sup> Floor  
330 Sparks Street  
Ottawa, Ontario

David Ward  
Safety Policy Officer, Road Safety Program  
Ministry of Transportation, Road User Safety  
1201 Wilson Ave  
Downsview ON M3M 3G8

Valerie Willians  
Operations Manager  
Ontario Safety League  
5045 Orbitor Dr  
Mississauga ON L4W 4Y4



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## **Appendix C Participant's Reactions**

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## Participant's Reactions to the Consultation

This section presents a brief summary of the participants' reactions to the workshop held in Toronto on May 12, 2000. The facilitators requested the participants list on a "recipe card" three things they liked about the workshop (or worked well) and three things they did not like (or would recommend be improved). This section presents a summary of the comments received.

- *Mix of stakeholders.* Participants were generally very pleased with the selection of people who took part in the consultation. Most felt the stakeholders' present had a strong knowledge of the issues. Almost all participants' felt however, that operators were missing from the list and that their presence would have added to the discussion. It should be noted that several operators were invited but all but one declined the invitation.
- *Separating School Bus and Motor Coach Sessions.* Overall, participants believed that separating the school bus and motor coach sessions was a very good idea. They felt that concentrating on each one separately provided a forum for more focused discussion.
- *Session format.* Session participants were very pleased with the agenda, proportion of time allocated to the issues and the open and frank discussion that took place. Many cited they preferred a discussion based consultation to presentation-style format, and were pleased they had the opportunity to receive and share information, ideas and concerns with the group.
- *Facilitation.* Overall participants were very pleased with the facilitation skills of the Institute On Governance. They felt the facilitators had a good grasp of the issues and were able to make relevant comments and linkages to ideas that were made throughout the day.
- *Discussion of Issues.* Participants felt the issues discussed represented the key safety issues concerning motor coach passenger protection. They were pleased by the range of issues discussed and the information provided. One participant's personal expectation was that the discussion would be more focused on direct safety issues and, therefore, was somewhat disappointed.
- *Facility.* Session participants commented favourably on the facilities provided. They were pleased with lunch and liked the plenary and breakout room. One participant noted the downtown location proved difficult for those travelling from outside of the downtown core.
- *Web site.* Several participants commented on the usefulness of the web site as a means to gain information, download reports and post comments.