

MANITOBA PUBLIC UTILITIES BOARD

Re: MANITOBA PUBLIC INSURANCE CORPORATION (MPI)  
GENERAL RATE APPLICATION  
2014/15

Before Board Panel:

Karen Botting - Chair  
Regis Gosselin - Board Chair  
The Hon. Anita Neville - Board Member

HELD AT:

Public Utilities Board  
400, 330 Portage Avenue  
Winnipeg, Manitoba  
October 11, 2013  
Pages 1611 to 1830



“When You Talk - We Listen!”



1 APPEARANCES

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3

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1	LIST OF EXHIBITS		
2	EXHIBIT NO.	DESCRIPTION	PAGE NO.
3	CAC-11	Curriculum vitae of Mavis Johnson	1654
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1		LIST OF UNDERTAKINGS	
2	NO.	DESCRIPTION	PAGE NO.
3	42	Ms. Johnson to provide electronic	
4		copy of SGI report	1762
5	43	Ms. Johnson will indicate if there	
6		is published information relating	
7		to wildlife and seasonal speed	
8		limits, specifically relating to	
9		Europe, or Northern Alberta;	
10		secondly, if available, provide	
11		the 2001 review 2001 that	
12		addressed the relative	
13		contribution of public auto	
14		insurers in wealthy countries,	
15		and the role of auto insurance	
16		in different countries; and to	
17		provide any available information	
18		relating to the contribution of	
19		public auto insurers	1825
20			
21			
22			
23			
24			
25			

1 --- Upon commencing at 10:45 a.m.

2

3 THE CHAIRPERSON: Good morning,  
4 everyone. I'd like to call our hearing to order.  
5 And we will be hearing from -- testimony from Mavis  
6 Johnson this morning. But there's been an issue  
7 about some inadmissibility to one (1) of the pieces  
8 of evidence. And I'm going to turn the mic over to  
9 Mr. Williams.

10 MR. BYRON WILLIAMS: I think you may  
11 want to refer it to My Friends from Manitoba Public  
12 Insurance.

13 THE CHAIRPERSON: Thank you. Ms.  
14 Kalinowsky...?

15 MS. KATHY KALINOWSKY: Actually,  
16 it'll be Mr. Triggs that handles this, this morning.

17 THE CHAIRPERSON: Okay. Mr.  
18 Triggs...?

19 MS. KATHY KALINOWSKY: Thank you.

20

21 SUBMISSIONS BY MR. MICHAEL TRIGGS:

22 MR. MICHAEL TRIGGS: Thank you, Madam  
23 Chair. I'd like to first thank the panel members for  
24 giving us the opportunity to consider this -- or this  
25 response and having the time to deal with it. It was

1 a last-minute development. We weren't anticipating  
2 it. And I appreciate very much the opportunity that  
3 you allowed us to put our thoughts together on this  
4 matter.

5 At approximately 9:00, 10:00 a.m. this  
6 morning, we received from CAC (Manitoba) a seventy-  
7 nine (79) page document that they wish -- that they  
8 advised us that they wish to submit as evidence for  
9 the panel's considerations in this General Rate  
10 Application hearing.

11 We did a very quick review of the  
12 document. Forty (40) pages, over half, is new  
13 evidence that we have not seen before. There is  
14 slides on dedication of a decade of action. We have  
15 never seen this information before. This is new  
16 material. There's a new model on vehicle road cla --  
17 road and driver crash causes, new statistics. We  
18 have not seen this information.

19 On Safe Systems, there are seventeen  
20 (17) slides on this topic. In Ms. Johnson's report,  
21 which we have seen, there are five (5) paragraphs on  
22 the topic. There's more in-depth discussion.  
23 There's new material. There's an expansion of what  
24 she had said.

25 The evidence should have come forward

1 -- the detailed evidence should have come forward  
2 when she submitted her report and the summary should  
3 be in the presentation that is made today, not the  
4 opposite.

5                   There is discussions on new  
6 legislation, roadway infrastructure and enforcement,  
7 the Safe Systems related to licensing vehicle safety  
8 infrastructure. There's discussions on intersections  
9 and speed limits. This was not in her report that  
10 she had filed in September.

11                   There is a -- information on a new  
12 model of comprehensive road safety management  
13 approach. We have not seen that before. There is a  
14 new model on coordination and management. There's  
15 new information on collision data, analysis, costs of  
16 crashes, including new co -- a new analysis on the  
17 social costs of crashes.

18                   There is information on institutional  
19 management functions, new information on research and  
20 development and knowledge transfer. There is new  
21 information and content on what to do with new  
22 Canadians who come to the country and learning -- and  
23 educating them for driving, and emergency assistance,  
24 as well. There is new information on high school  
25 driver education that was not in her report.



1                   And I guess the ba -- basic question  
2 is: Why do we care? Why do we object to this  
3 information being submitted.

4                   We object because it violates the  
5 rules that have been established by the Board. It  
6 violates the Board's order that has been set out.  
7 These rules and orders are designed not to protect  
8 MPI; they are designed to protect Manitobans.  
9 Manitobans are relying upon the Board to make  
10 decisions based on the best evidence, the best  
11 information it has before it.

12                   These rules establish a process to  
13 allow for that to happen. That has not happened in  
14 this case. The best information -- as I said, when  
15 the best information is before the Board, the Board  
16 can make the best decisions. When it has inadequate  
17 information, incomplete information, there is a  
18 significant risk that the Board will make decisions  
19 that are not the best decision that could be made.  
20 That is why the Board has established a process for  
21 the sharing of information on a timely basis. The  
22 Board needs to make sure that the information that it  
23 hears is properly tested, challenged, and understood.

24                   Last year Mr. Williams on behalf of  
25 CAC (Manitoba) filed a document. It was Exhibit

1 number 13 -- CAC Exhibit number 13. It was titled,  
2 "Does Process Matter?" It was his closing argument  
3 to the Board. And in that he said:

4 "Our client is fervently of the  
5 view that there is too much -- too  
6 much of the money in the pockets of  
7 the Corporation. But in this  
8 hearing they say the bigger focus,  
9 the more important focus, is  
10 getting some of these process  
11 issues right."

12 Manitoba Public Insurance agrees fully  
13 with that statement as it relates to the process of  
14 getting information to the Board for it can make its  
15 decisions. If the processes are not right, the  
16 processes are not followed, there is a very  
17 significant risk that the Board can make decisions  
18 that are not the best decisions that it would --  
19 could have made if it had all the best information.

20

21 (BRIEF PAUSE)

22

23 MR. MICHAEL TRIGGS: The Board  
24 conducted as part of its process a pre-hearing  
25 conference to decide how matters can be dealt with.

1 The purpose of the pre-hearing conference recognizes  
2 the importance of process, the importance of the  
3 orderly exchange of information. The first order --  
4 the first order that was issued was number 1 on page  
5 9:

6 "Schedule B as attached shall be  
7 the timetable for the orderly  
8 exchange of information by the  
9 participating parties."

10 On page 12, paragraph 10(a):

11 "Intervenors to file pre-filed  
12 testimony to all parties by  
13 September 11th, 2013."

14 Not October 11th at 9:10 in the  
15 morning.

16

17 (BRIEF PAUSE)

18

19 MR. MICHAEL TRIGGS: There's been a  
20 violation of the Board rules, again which have been  
21 established for the purposes of ensuring that the  
22 best information is before the Board. And these  
23 rules are based upon the principles of natural  
24 justice. Administrative law principles require that  
25 people need to know the case that needs to be met.

1 They want to make sure that all information is  
2 properly there before the Board, the panel, decision  
3 maker, so they can make that.

4 That's why these rules are set up.  
5 There's an underlying purpose protecting Manitobans  
6 through the rules of natural justice. That's why we  
7 have these rules, and they are there, rules that have  
8 been -- we see are violated. 19(b) -- (1)(b):

9 "Intervenors, witnesses --  
10 Intervenor witnesses/ [slash]  
11 independent witnesses shall provide  
12 pre-filed written evidence in  
13 response to the Applicant's pre-  
14 filed written evidence."

15 That has not occurred here.

16 17(4):

17 "Any party who wishes to present  
18 evidence at a hearing shall, prior  
19 to the appearance of witness and  
20 within the time limit prescribed by  
21 the Board [September 11th], file a  
22 copy of the proposed evidence with  
23 the secretary and serve a copy with  
24 -- to all the parties."

25 That has not happened. There's a very

1 clear, succinct, direct rule in place that the Board  
2 has for ensuring evidence is properly brought before  
3 it. It has been violated.

4 14(1): This rule lays out more of a  
5 spirit of the intention and what's behind these  
6 Information Requests and so forth:

7 "Where, in a proceeding, the Board  
8 permits Information Requests to be  
9 directed to a party for the purpose  
10 of a satisfactory understanding of  
11 the matters to be considered..."

12 Those -- those are important words.  
13 Information Requests sent to a party for the purpose  
14 of satisfactorily understanding the matters to be  
15 considered. The way it has been set up, information  
16 is submitted, there's a chance to ask Information  
17 Requests about it so you get a clear understanding,  
18 and then the Board will have the benefit of that  
19 knowledge.

20 Just imagine if MPI submitted its  
21 General Rate Application and there were no  
22 Information Requests allowed. Would the Board feel  
23 comfortable considering just that application? At  
24 the last moment, it comes in: Here you go. Would  
25 you feel confident that it is fully tested, that it

1 is fully explored, that you have all the information  
2 before you? I would say probably not.

3                   This is just a slightly different  
4 example of that: a significant amount of information,  
5 a seventy-nine (79) page document. The initial  
6 report that she submitted was twenty-five (25) pages.  
7 This is seventy-nine (79) pages. Forty (40) pages of  
8 it is new information. There's been no chance to  
9 file Information Requests, to seek clarification, a  
10 better understanding of what is there. It does not  
11 happen in this case.

12                   Finally, there is a production of  
13 documents rule, 12(1):

14                   "Where, in an application for  
15 intervention, motion, or response  
16 to an Information Request, a party  
17 refers to a document which the  
18 party intends to rely upon in the  
19 proceeding, that party shall attach  
20 a copy of that document to its  
21 evidence."

22                   Again, it was not followed in this  
23 case here. So we have a very clear Board order  
24 setting out the time frame for submitting of  
25 evidence. There's rules related to why that time

1 frame is set in place. They've all been ignored by  
2 CAC (Manitoba).

3                   So it comes down to: What should the  
4 Board do? Our position, as I stated at the outset,  
5 is that in order to make the best decision for  
6 Manitobans, the Board needs to have the best  
7 information before it. By allowing information to be  
8 brought before it at the last moment with no chance  
9 to go through the -- the rigorous process that the  
10 Board has established for ensuring the best  
11 information is before it, that information is not  
12 properly being tested for the Board's benefit.

13                   Ms. Johnson had prepared the reports,  
14 a twenty-five (25) page report. We have reviewed it.  
15 We've asked Information Requests about it. We have  
16 prepared a cross-examination on that, all to allow  
17 the Board to have the best information on that  
18 report. I imagine Board counsel has prepared cross-  
19 examination questions for it.

20                   Now, at the last moment, a new  
21 document, new evidence is being submitted to the  
22 Board and is asked for consideration. And we do not  
23 believe that is appropriate, and we believe that the  
24 Board should not allow the presentation.

25                   However, Ms. Johnson is here. She has

1 prepared a report. In her report she made -- a  
2 nuance. She has prepared a report that has been  
3 filed within the time frames established by the  
4 Board. That report made sixteen (16)  
5 recommendations. We'd be more than happy to have her  
6 speak to that report and those sixteen (16)  
7 recommendations. That is appropriate. But the  
8 presentation, this eighty (8) pa -- this seventy-nine  
9 (79) page presentation on PowerPoint is not  
10 appropriate.

11 So I have one (1) moment?

12

13 (BRIEF PAUSE)

14

15 MR. MICHAEL TRIGGS: I just want to  
16 clarify one (1) -- one (1) point on -- on that. And  
17 what I have said about the report and anticipating  
18 that Mr. Williams will say, Well, he's just going --  
19 the PowerPoint presentation is just about the report.  
20 Well, it is not just about the report. There's way  
21 more detail, significant more detail in the report --  
22 I mean, the -- the presentation I should say, than  
23 there is in the report.

24 The proper way that this should have  
25 been handled -- this is the detailed information



1 should have been provided, and then a summary of that  
2 could be presented to the Board.

3                   They are doing the opposite here.  
4 They submitted a summary to the Board and now have  
5 submitted detailed information before -- detailed  
6 information that has not been seen before; detailed  
7 information that has not had the opportunity to be  
8 considered; detailed information that has not had the  
9 opportunity to be challenged, tested, clarified.

10                   That is what we object, because we do  
11 not know, without considering it, the probative value  
12 of this evidence. Is it good evidence? Is it poor  
13 evidence? We do not know. We don't have that  
14 opportunity. As such, the Board does not know that  
15 either.

16                   Thank you.

17                   THE CHAIRPERSON: Thank you, Mr.  
18 Triggs. Now I'd ask Mr. Williams to respond.

19                   MR. BYRON WILLIAMS: Yes. And -- and  
20 it may assist the Board just to have in front of you  
21 CAC Exhibit 3, which is our pre-filed evidence.

22

23                   (BRIEF PAUSE)

24

25                   MR. BYRON WILLIAMS: That's -- that's

1 Ms. Johnson's report we're referring to.

2

3 (BRIEF PAUSE)

4

5 MR. BYRON WILLIAMS: Do -- do the  
6 panel members have it or...

7

8 (BRIEF PAUSE)

9

10 MR. REGIS GOSSELIN: Just to clarify,  
11 Mr. Williams, the report is entitled "Review of Road  
12 Safety Programs of Manitoba Public Insurance"?

13 MR. BYRON WILLIAMS: "And  
14 International Good Practice," yes, Board member  
15 Gosselin.

16

17 (BRIEF PAUSE)

18

19 MR. BYRON WILLIAMS: Madam Chair, I -  
20 - I have a paper copy here if that would assist.

21 MR. MICHAEL TRIGGS: Madam Chair, if  
22 I can --

23 THE CHAIRPERSON: Okay. Yes.

24 MR. MICHAEL TRIGGS: -- make just one  
25 (1) brief apology. I had stated that the report was

1 twenty-five (25) pages, and as I look at it,  
2 obviously it's longer than that. I don't know where  
3 that number came from. I've got a head cold this  
4 morning, so I kind of maybe got a little confused.  
5 But, otherwise, it's -- it's not twenty-five (25)  
6 pages.

7 THE CHAIRPERSON: Okay. Thank you.

8

9 SUBMISSIONS BY MR. BYRON WILLIAMS:

10 MR. BYRON WILLIAMS: And just for the  
11 Board, I will talk a little bit about this, but just  
12 I wa -- I'm not coming to it quite yet, but if you  
13 wanted to be at page 16 of the report, that might be  
14 of a bit of assistance.

15

16 (BRIEF PAUSE)

17

18 MR. BYRON WILLIAMS: And just to  
19 start the -- as I understand it, My Learned Friends  
20 object to Ms. Johnson's PowerPoint presentation. The  
21 -- there are some factual errors in My Learned  
22 Friend's submission that -- that should be corrected.

23 He initially said the pre-filed  
24 evidence of Ms. Johnson was twenty-five (25) pages.  
25 Then I think he just said now it was a bit longer. I

1 think when the Board re -- reviews Ms. Johnson's  
2 evidence, as I know the Board has, it will see that  
3 the main -- main document is -- is around fifty (50)  
4 pages. Attached to it are very thorough appendices  
5 constituting another thirty-one (31) pages or so. So  
6 it would be materially wrong to suggest it was only  
7 twenty-five (25) pages, or just a bit more.

8                   And it's also important to remember  
9 that within that extensive pre-filed document was  
10 reference to a wealth of literature. And if you just  
11 turn your mind to page 16 of this document for a sec  
12 -- second, you will see bolded on the second  
13 paragraph under, "An Overview of Good Practice  
14 Programs," that the information in this report is  
15 based upon the report, 'Implementing the  
16 Recommendations of the World Report on Road Traffic  
17 Injury Prevention', 'Country Guidelines for the  
18 Conduct of Road Safety Management Capacity Reviews  
19 and the Specification of Lead Agency Reforms,  
20 Investment Strategies, and Safe Systems Projects'.

21                   So in addition to the very extensive  
22 pre-filed material, incorporated into this document  
23 was the wealth of literature that underlies the --  
24 the written expert report. And that wealth of  
25 information was available to Manitoba Public

1 Insurance, should it have chosen to examine it. And  
2 within that wealth of information is indeed  
3 everything that is -- is covered in -- in Ms.  
4 Johnson's evidence and her -- her PowerPoint.

5 So it's just -- a key factual point is  
6 that they -- My Learned Friend has grossly  
7 mischaracterized the nature of the pre-filed  
8 evidence.

9 There's also a smaller factual error -  
10 - error but a material one, with the suggestion that  
11 there are sixteen (16) recommendations in the pre-  
12 filed report. And we were puzzled by MPI's  
13 submission on this on the first day of the hearing.

14 There probably are sixteen (16)  
15 italicized recommendations, but in the conclusions,  
16 in the recommendations for further programs, there's  
17 a whole wealth of other recommendations. So My  
18 Learned Friend no doubt inadvertently has  
19 mischaracterized factually the -- the wealth of  
20 recommendations flowing from that report. Those are  
21 just some factual -- factual issues.

22 In terms of the issues of procedure  
23 and principle, I noted with interest My Friend cited  
24 the Rules of Procedure but -- but omitted two (2)  
25 material aspects. And one (1) section of the Rule --

1 Rules of Procedure that certainly the Board would  
2 want to pay reference to is Rule 17(1):

3 "The Board may receive evidence by  
4 sworn testimony or testimony  
5 solemnly affirmed, the report of  
6 any person directed by the Board to  
7 so report, and such other matter as  
8 may deemed -- may be deemed  
9 appropriate by the Board."

10 So there is ample flexibility in the  
11 Board's rules. And my client was struck by the  
12 submissions of My Learned Friend, because My Learned  
13 Friend appears to be under a material  
14 misapprehension, in terms of the ambit and scope of  
15 oral evidence.

16

17 (BRIEF PAUSE)

18

19 MR. BYRON WILLIAMS: Rule 19(3),  
20 again, not cited by My Learned Friend, in terms of  
21 Intervenor evidence states that:

22 "Intervenor independent wit --  
23 independent witnesses shall provide  
24 direct oral evidence, including  
25 oral testimony on their pre-filed

1 written evidence and responses to  
2 the Applicant's written and oral  
3 testimony."

4 So My Learned Friend has materially  
5 mischaracterized the ambit within the Board's rules  
6 in terms of what is allowed in oral -- oral  
7 testimony. It is not merely a boring recan --  
8 recanting of the written report; it is to speak to  
9 the written report, to speak to the wealth of  
10 evidence before the Board in this hearing.

11 Now, my submission shall be that the  
12 information in the PowerPoint is reflective of the  
13 pre-filed written evidence. And to the extent that  
14 there -- there may be slides that -- that may not  
15 have appeared in the written evid -- in the written  
16 evidence in terms of Saf -- Safe Systems, they are a  
17 re -- a reflection of that broader document and that  
18 broader literature, which is directly referenced in  
19 the evidence, including the -- implementing the  
20 recommendations on the World Report on Traf -- Road  
21 Traffic Injury Prevention.

22 So first of all, my submission shall  
23 be that the -- the PowerPoint is reflective of the  
24 pre-filed extensive written evidence including its  
25 supporting documentation. But moreover, that My

1 Learned Friend has misconstrued the purpose of oral  
2 evidence, which is to respond to the wealth of  
3 evidence in the hearing, not merely recant or repeat  
4 written evidence.

5                   Now, it is important to -- to think  
6 about what a PowerPoint is. My Friend is quite -- I  
7 -- I think their math on this one was pretty close.  
8 They said seventy-nine (79) pages. I would say  
9 eighty (80) with the cover page, but we're very close  
10 on -- on that one. So we're not going to -- we're  
11 not -- I'm not going to criticize them for being off  
12 by a page on that one.

13                   But it's a PowerPoint, and so when you  
14 think of eighty (80) pages that sounds like a lot.  
15 But if you think of pulling three (3) sentences or  
16 five (5) sentences onto a page, then all of a sudden  
17 it dwarfs in comparison to the extensive eighty-one  
18 (81) page document.

19                   The Board has the right to accept  
20 information in terms of pre-filed written evidence,  
21 oral evidence, or other forums. This Board has  
22 regularly accepted PowerPoint presentations as an aid  
23 to the panel and as an aid to cross-examination.

24                   The Board can look to precedence in  
25 the Payday Lending proceeding in terms of -- not the



1 most recent one that Ms. Botting sat upon, but the  
2 one in 2007 and '08 in which there was an extensive  
3 use of PowerPoints by a number of witnesses, at least  
4 four (4) that I can think of in that proceeding.

5                   The Board can think to the 2010/2011  
6 and 2011 -- '11/'12 Manitoba Hydro proceedings, when  
7 PowerPoints were provided in exactly the same process  
8 as today. It can also think to the 2013/'14 Manitoba  
9 Hydro general write -- rate application and, for  
10 example, the evidence of Mr. Dusky. And, of course,  
11 Dr. Simpson used PowerPoints as well.

12                   Generally, and I'm -- I'm quite  
13 surprised that there is an objection to this. I  
14 usually find PowerPoints to be of great assistance.  
15 It allows me to follow the -- the dialogue better.  
16 It also allows me to -- to incorporate some notes  
17 into my cross-examination. It is also standard  
18 procedure, not just in this tribunal but in -- in  
19 tribunals like the Clean Environment Commission,  
20 where regularly Manitoba Hydro, the day of its  
21 presentation, will show up with PowerPoints, not to  
22 be objected to, but to be accepted with gratitude as  
23 an aid to follow the oral evidence.

24                   Now when -- when the panel -- if the  
25 panel does get the opportunity to review the

1 PowerPoint, it will see that it's essentially desi --  
2 di -- divided into three (3) sections. The first  
3 section up to about page 12 really is highlighting of  
4 some of the evidence provided in section 1 of Ms. --  
5 Ms. Johnson's pre-filed evidence dealing with traffic  
6 collision statistics. The section -- second -- and -  
7 - and I don't -- I -- I do not understand My Learned  
8 Friend to be objecting to that.

9           The second section contains a number  
10 of PowerPoints. And it's probably -- it won't take  
11 the longest to go through, but it's the longest in  
12 number of pages, dealing with the safe sys -- systems  
13 approach. Now, My Learned Friend has suggested that  
14 only five (5) paragraphs of Ms. Johnson's evidence  
15 were directed to the Safe Systems Approach. And with  
16 respect, My Friend is in error.

17           If one looks at Chapter 2 of Ms.  
18 Johnson's evidence, 'An Overview of Good Practice  
19 Programs', running from pages 16 to 26, that is all  
20 about Safe Systems. It may not have the word 'Safe'  
21 -- 'Safe Systems' in every paragraph, but that is  
22 what that section of the report is about. And I  
23 think some of the confusion of my -- of -- of  
24 Manitoba Public Insurance is a misunderstanding of  
25 that section of Ms. Johnson's written evidence or of

1 the PowerPoint.

2                   And so there's an extensive  
3 discussion. But when you see headlines like,  
4 "Identifying a Lead Agency," that's one (1) of the co  
5 -- that's on page 19 -- that's one of the cores of  
6 the Safe System Approach.

7                   When you see at page 20, "Developing  
8 an Effective Strategy with Robust Targets," again  
9 that's part of the core of Safe Systems Approach. So  
10 it would be erroneous for the Board to assume that  
11 there's only five (5) paragraphs about this and all  
12 of a sudden much of the PowerPoint is about this.  
13 The Safe System values, the Safe Systems theory,  
14 imbues all of Ms. Johnson's written evidence. All of  
15 it.

16                   Now, I noted with interest the very  
17 first so-called objectionable item that My Learned  
18 Friend identified was reference to the decade of  
19 action. And realize that -- Manitoba Public  
20 Insurance is alleging prejudice. It is the decade of  
21 action -- I'm pretty confident MPI knows about it.  
22 It's a decade of action about to target road safety.  
23 It's inter -- it's an international target that we're  
24 doing about it. The Board could take judicial notice  
25 of this.

1                   So that's just one (1) example where  
2 whether or not that was in her Safe System dialogue,  
3 it's something that simply the Board could take  
4 judicial notice of. That's just one (1) example.

5                   The other point I -- I want to make  
6 clear is that the entire dialogue on Safe System  
7 builds upon the ten (10) page section of Ms.  
8 Johnson's report and is based upon that key  
9 documentation that I flagged for you right at the  
10 start.

11                   As I understand My Friends' concerns  
12 though, that seems to be the section that -- that  
13 they take issue with. And again, we reject those --  
14 the allegation that something material and relevant  
15 to this hearing is suddenly being popped upon them.

16                   Within that section, if the Board  
17 again gets an example -- opportunity to see it,  
18 you'll see some pictures. So in Ms. Johnson's  
19 written evidence she talked about challenges with  
20 infrastructure and -- and issues like that.

21                   One (1) of -- what will appear in her  
22 PowerPoint, as one (1) example, is -- you know,  
23 because I was asking her, Well, what -- what does  
24 infrastructure -- what does that mean? And you might  
25 see a picture of a rumble strip or an -- an

1 intersection where you need to put up some -- a  
2 turnoff in which one needs to -- to decelerate.

3           Those are pictures giving illustration  
4 to the words at the heart of Ms. Johnson's evidence.  
5 And our client rejects the allegation that that  
6 somehow is material new evidence that achieves any  
7 prejudice for Manitoba Public Insurance.

8           The third section of Ms. Johnson's  
9 evidence deals with -- roughly pages 63 to 80 goes  
10 from the universal theory of Safe System back again  
11 to the specifics of Manitoba Public Insurance. And  
12 again, I did not hear objections to Ms. Johnson's  
13 depiction in that section. But I will go back to --  
14 to the -- MPI's claim that there are only sixteen  
15 (16) recommendations in there.

16           For example, at page 50 of Ms.  
17 Johnson's written evidence she talks about the -- the  
18 need to promote a better safety vision for rural  
19 roads. And that's expressed in her evidence.  
20 There's close -- at least half a page devoted to it,  
21 yet MPI didn't address that in their recommendations.

22           So again, there may be a  
23 misunderstanding of Manitoba Public Insurance in  
24 terms of -- of what was in her evidence and -- and  
25 what they don't think -- and what they think was not.

1                   Mr. Chair -- or Madam Chair and  
2 members of the panel, I -- I want to draw your mind  
3 back to yesterday. And My Friend, Mr. Oakes, raised  
4 some objections in terms of -- of the evidence of the  
5 dri -- of the driver safety education witnesses. Our  
6 client did not object. But let us think back to that  
7 evidence for just one (1) moment.

8                   There was apparently a eight hundred  
9 (800) page document upon which these witnesses based  
10 their report. What was provided in terms of  
11 disclosure was a six (6) page executive summary and,  
12 to my recollection, although I stand to be corrected,  
13 without footnotes.

14                   And then think of the evidence of Mr.  
15 Robinson yesterday, and Dr. Robinson: off the top of  
16 my head, references to studies in Oregon, references  
17 to studies in Nebraska, references to studies in  
18 Michigan, references to studies on so-called second-  
19 stage transpor -- driver safety education and  
20 programs in Europe, Australia, and Asia, without a  
21 footnote, without a reference.

22                   My client and I chose not to object to  
23 that. We chose not to object to it, unlike our  
24 Friend, Mr. Oakes, even though these were documents  
25 that were -- no base information was provided to us,

1 because we had done what is good legal practice.  
2 Seeing these vague references in their -- in their do  
3 -- in their executive summary, we went out and read  
4 the literature. And so, from our client's  
5 perspective, we did not feel disadvantaged.

6                   But I -- I want to be very clear here.  
7 Our rules allow for some flexible in the receipt of  
8 exit of -- of evidence. Our client did not object  
9 yesterday because they thought that that information  
10 was of value to the Board. And if I really would  
11 have been worried about it, I would have done what --  
12 what I would ordinarily do, which is request for an  
13 adjournment. Allow me to step down for half an hour,  
14 or an hour, or two (2) hours, if need be, so if -- if  
15 my client was really prejudiced, I would have that  
16 opportunity.

17                   And just in closing I want to re --  
18 remind the Board that we categorically deny that  
19 there has been a material unfairness to Manitoba  
20 Public Insurance. But if there is -- if in the  
21 Board's view that somehow there has been, the remedy  
22 to that is twofold. If they want some more time to  
23 do cross-examination, do it. If you want some time  
24 to bring some rebuttal evidence, do it. Those  
25 remedies are available to the Board.

1                   Again, we reject the characterization  
2 of this as ambush. We -- we assert that the -- the  
3 Safe Systems information was substantially in Ms.  
4 Johnson's report with the base documentation  
5 available as well had MPI gone and read it. And we  
6 reiterate that the purpose of the PowerPoint is to  
7 assist this Panel in its deliberations, something to  
8 take notes on, something rather -- as compared to a -  
9 - a boring recitation of the pre-filed written  
10 evidence.

11                   Subject to any questions of the panel,  
12 those are my comments.

13                   THE CHAIRPERSON: Thank you, Mr.  
14 Williams. Mr. Triggs...?

15                   MR. MICHAEL TRIGGS: Does anybody  
16 else have any commen -- I guess we should probably  
17 check to see if anyone else has comments before I  
18 reply.

19                   THE CHAIRPERSON: Yes, I was  
20 wondering, Mr. Oakes, do you have any comments?

21

22 SUBMISSIONS BY MR. RAYMOND OAKES:

23                   MR. RAYMOND OAKES: Certainly, Madam  
24 Chair. I'm very disappointed this morning,  
25 obviously, with the standpoint that MPI has provided



1 to this Board with respect to this slide show  
2 summary. I received it at the same time they did.  
3 I've read through it. I've developed some questions  
4 -- additional questions that I'll have for the  
5 witness.

6 As Mr. Williams says, this is -- slide  
7 shows, and although it may run to a number of pages  
8 some of those pages have half a dozen or a dozen  
9 words on the page. Certainly something easy to  
10 review. And the information contained there is  
11 common sense. How can this insurer that has handled  
12 the waterfront of issues relative to road safety come  
13 before this Board and have any difficulty with  
14 respect to the very general words and sentences  
15 contained in this summary for the slide show.

16 I'm very disappointed that they would  
17 take that position. If they were new to all of these  
18 road safety issues I might have some empathy with  
19 them. But certainly not in terms of their role,  
20 which is to carry out these very similar  
21 recommendations and issues that are stated there.

22 So their intransigence in that area is  
23 disappointing, and I think the Board should put it in  
24 the context that this is the same insurer that wasn't  
25 willing to organize a road safety conference that the

1 Board had recommended and tried to implement this  
2 year.

3                   Going on from that, in terms of Mr.  
4 Trigg's arguments that Manitobans would want the  
5 Board to exclude this. I suggest that Manitobans  
6 want an effective development of road safety. They  
7 haven't seen that. I think they would welcome any  
8 expert with Ms. Johnson's credentials that can come  
9 and give them a hand that they sorely need.

10                   So I doubt that Manitobans want to  
11 restrict information to this Board. And, as Mr.  
12 Williams indicates, it's very common that this type  
13 of additional information would come in during the  
14 course of direct-examination.

15                   And I'll get to my last point, which  
16 is, you know, I've been an Intervenor's counsel for  
17 twenty (20) years in these proceedings. At the end  
18 of the day we all have to get along. We all have to  
19 make this process work. We have to be respectful of  
20 the witnesses' time that's here. We've now wasted a  
21 morning on this, a morning that we didn't have in the  
22 schedule.

23                   One (1) compromise the Board could  
24 look at is we have the summary marked as an exhibit  
25 for identification purposes only, and then permit

1 whatever evidence that Mavis Johnson wants to respond  
2 with during the course of direct examination, and --  
3 and off we go.

4 So those would be my comments, Madam  
5 Chairperson.

6 THE CHAIRPERSON: Thank you, Mr.  
7 Oakes. Ms. Peters...?

8

9 SUBMISSIONS BY MS. LIZ PETERS:

10 MS. LIZ PETERS: I have no objections  
11 to the -- to this document being included. I -- it  
12 seems to me that the purpose of the discussion today  
13 is to bring forward information and have a fulsome  
14 discussion, and if it is something that the witness  
15 has prepared, in order to help us do that, I -- I  
16 definitely support that.

17 THE CHAIRPERSON: Okay. Thank you.  
18 Mr. Triggs?

19

20 REPLY BY MR. MICHAEL TRIGGS:

21 MR. MICHAEL TRIGGS: Thank you, Madam  
22 Chair. There's a number of issues that were -- or  
23 statements that were made, and I'd like to respond to  
24 them.

25 MPI does not oppose the form of

1 PowerPoint presentations. They are a great learning,  
2 educational tool. We don't object to the form of  
3 PowerPoint evidence. We don't object to oral  
4 evidence, explaining what is in a document. And we  
5 recognize that a lot -- when you explain a document,  
6 you go beyond exactly reading what is there. You  
7 have to go beyond it. That's no problem. That's  
8 expected. No concerns. We welcome fulsome  
9 discussions because that allows the Board to have the  
10 best evidence -- best information before it.

11                   What we object to is not the form the  
12 evidence comes in, it's the content, the new  
13 evidence. As I said, approximately forty (40) pages  
14 of the information -- forty (40) -- (40) pages of  
15 power print -- PowerPoint presentation contained  
16 information we have not seen.

17                   Mr. Williams tries to say, Well, it's  
18 referenced in a document. That's just -- well, no.  
19 That's kind of sandbagging the process. And the  
20 process is you want to have the best information out  
21 for your consideration so you can make the best  
22 decision.

23                   The one (1) burning question that Mr.  
24 Williams did not answer, did not even make any  
25 comment on, is: Why was this not filed on September

1 11th? He did not deal with that. There's new  
2 evidence, and to have the full discuss -- fulsome  
3 discussion on that, it should have been filed in time  
4 so that proper consideration could be given.

5                   Mr. Williams spoke to confusion that  
6 MPI has on this matter. I wonder why? We just saw  
7 the document for the first time this morning. Do we  
8 have some confusion over what's happening? Yes.  
9 That's the point.

10                   We can't have good discussions,  
11 fulsome discussions about evidence before the --  
12 before the Commission -- before -- sorry, before the  
13 Panel without having the rules that the Board has  
14 established for the disclosure of that evidence. It  
15 cannot happen.

16                   Those rules required that the evidence  
17 be submitted by September 11th. It was not. And,  
18 therefore, we say it should not be accepted. Thank  
19 you.

20                   THE CHAIRPERSON: Okay. Thank you  
21 very much. I am going to suggest we have a short  
22 break, and we'll come -- oh, I'm sorry. We have a  
23 few questions from Mr. Gosselin.

24                   MR. REGIS GOSSELIN: And this is  
25 addressed to Mr. Williams in particular. Mr.

1 Williams, the -- Ms. Johnson's report is quite an  
2 extensive report, very well done, very readable,  
3 extensive documentation. It seems to me that you  
4 would be able to draw out the salient points, draw a  
5 picture for us, if you wish, in -- in your  
6 questioning of Ms. Johnson and her responses that  
7 would come to the same end as using a PowerPoint.

8                   Could you comment on that? I mean --

9                   MR. BYRON WILLIAMS: I think that is  
10 not an unfair statement. But the only reason I could  
11 do that is because I think the PowerPoint is  
12 reflective of the -- the evidence of Ms. Johnson.  
13 This is in -- clearly in my view a -- a more  
14 interactive way to present it. It is a way that  
15 allows for a focus of discussion.

16                   This -- and it -- so, yes, we could  
17 definitely do it. But I -- I don't -- I -- I would  
18 not withdraw this -- this PowerPoint because our  
19 client believes very strongly, as do I, that -- that  
20 it is reflective of the pre-filed evidence and it is  
21 within -- within the rules. So yeah, I can -- I can  
22 -- I can wing a direct examination and I think we can  
23 get out a lot of it, but I think it would do a  
24 disservice to the Board if this PowerPoint was -- was  
25 not presented.

1 I think it will assist the Board in  
2 visualizing. Sometimes a picture is worth a thousand  
3 words. And I certainly know, as we went through this  
4 document with Ms. Johnson last night, the -- my  
5 understanding of the issues was enhanced materially.  
6 And so when one sees the word 'infrastructure' on a  
7 page, that means one (1) thing; when one sees a  
8 picture it means a lot more.

9 So, yes, we -- we -- we could -- could  
10 do a direct. That's accurate. I can assist the  
11 Board better with this PowerPoint.

12 THE CHAIRPERSON: Okay. Thank you.  
13 We'll take a brief recess and we'll be back shortly.

14

15 --- Upon recessing at 11:36 a.m.

16 --- Upon resuming at 11:57 a.m.

17

18 THE CHAIRPERSON: We'll continue with  
19 the proceedings.

20

21 BOARD RULING:

22 THE CHAIRPERSON: The Board has  
23 considered all the comments. The Board has not  
24 reviewed the PowerPoint presentation. The Board is  
25 prepared to accept that if there is anything new in

1 the documentation that was not contained within Ms.  
2 Johnson's report or the documents referenced within  
3 that report, MPI shall be given adequate time to  
4 prepare cross-examination and call rebuttal evidence.  
5 If that means a change to the hearing schedule that  
6 will be addressed.

7                   Therefore, the document is admitted  
8 and Mr. Williams should proceed with direct  
9 examination, after which MPI will advise of its  
10 position regarding the timing of cross-examination  
11 and whether it will seek to produce rebuttal  
12 evidence. Pursuant to the Board's rules as cited by  
13 Mr. Williams, the document can be admitted.

14                   Mr. Williams, before I think we -- we  
15 will start our direct, we felt -- it's twelve  
16 o'clock. We thought we would just take a short lun -  
17 - a shortened lunch break from about 12:00 to 12:30  
18 and then resume with your direct at 12:30. Thank you  
19 very much.

20                   MR. BYRON WILLIAMS: And -- and if I  
21 could, I would like to go -- there is a process of  
22 qualification. I would like to alert the Board to  
23 Ms. Johnson's credentials. I may ask My Learned  
24 Friends to have a -- just a -- a chat to see if we  
25 can -- I'll still want to go through it, but I may be



1 able to reduce the time spent on qualifying the  
2 witness. So that may each save us a bit of time,  
3 subject to the comments of My Friends.

4 MR. MICHAEL TRIGGS: We'll consent to  
5 her qualifications as an expert in road safety.

6 MR. BYRON WILLIAMS: They'd better --  
7 I -- I want them to see what I'm actually trying to  
8 qualify her for, so I'd -- I'd suggest to My Friend  
9 that he just -- just make sure that he's reviewed it.  
10 I just want to be clear with him. And that's fine  
11 from my perspective.

12 THE CHAIRPERSON: Okay. Thank you  
13 very much.

14

15 --- Upon recessing at 12:00 p.m.

16 --- Upon resuming at 12:34 p.m.

17

18 THE CHAIRPERSON: Okay. Good  
19 afternoon and welcome back to the afternoon  
20 proceedings. Just prior to beginning, Mr. Triggs  
21 wanted to make a comment.

22 MR. MICHAEL TRIGGS: Yes, Madam  
23 Chair. In the break I had a brief discussion with  
24 Mr. Williams about the qualifications of Ms. Johnson  
25 as an expert witness. He wishes to qualify her in

1 the area of management and delivery of road safety  
2 programs, road safety program review, road safety  
3 operational and strategic planning, and road safety  
4 capacity management.

5 In the interests of the time, MPI is  
6 going to consent to that qualification as an expert.  
7 But if Mr. William (sic) wishes to proceed, he may do  
8 so.

9 THE CHAIRPERSON: Thank you very  
10 much, Mr. Triggs.

11 Mr. Williams, would you like -- oh,  
12 sorry.

13 MR. REGIS GOSSELIN: Sorry. Do you  
14 mind repeating those, please? Because I -- I just  
15 want to make sure I've got them down.

16 MR. MICHAEL TRIGGS: Sure. And Mr.  
17 Williams can correct if I've misspoken here. Is it  
18 management and delivery of road safety programs, road  
19 safety program review, road safety operational and  
20 strategic planning, and road safety capacity  
21 management?

22 THE CHAIRPERSON: Okay. Thank you,  
23 Mr. Triggs.

24 Mr. Williams...?

25 MR. BYRON WILLIAMS: Yes, we

1 certainly thank MPI for their assistance, and  
2 certainly other parties may wish to comment. The  
3 only change I would make to his excellent note-taking  
4 is to say that the -- the last element would be road  
5 safety capacity management review.

6 THE CHAIRPERSON: Okay. Thank you.

7 MR. BYRON WILLIAMS: Madam Chair, if  
8 -- oops, sorry.

9 THE CHAIRPERSON: No, go ahead.

10 MR. BYRON WILLIAMS: Madam Chair, if  
11 I might, I -- I did neglect to do something this  
12 morning which was introduce Ms. Johnson. So I'd like  
13 to introduce her to the panel, welcome her to  
14 Manitoba, and ask Mr. Singh to swear her in if he  
15 would.

16

17 MAVIS JOHNSON, Sworn

18

19 MR. BYRON WILLIAMS: Madam Chair, in  
20 the course of this afternoon, in terms of Ms.  
21 Johnson's preparation -- presentation, excuse me, I  
22 expect she will have reference to three (3)  
23 documents. One (1) is a -- an updated curriculum  
24 vitae, which was distributed this morning, which we  
25 would suggest be marked as CAC Exhibit 11.

1 --- EXHIBIT NO. CAC-11: Curriculum vitae of Mavis  
2 Johnson

3

4 MR. BYRON WILLIAMS: The second is  
5 the PowerPoint presentation in paper form, which I  
6 would suggest be marked as CAC-12.

7

8 --- EXHIBIT NO. CAC-12: PowerPoint presentation  
9 in paper form

10

11 MR. BYRON WILLIAMS: And the third is  
12 the writ -- her written evidence, which I referred to  
13 the Board earlier this morning.

14

15 --- EXHIBIT NO. CAC-13: Written evidence of Mavis  
16 Johnson

17

18 MR. BYRON WILLIAMS: And certainly,  
19 we appreciate the assistance of MPI in terms of her  
20 qualifications.

21 Madam Chair, we believe -- and so we  
22 have -- I have substantially short-circuited the  
23 discussion of her qualifications. I still believe  
24 that there is some value in -- in quickly going over  
25 parts of her resume in the sense that it will assist

1 persons like My Friend, Mr. Oakes, in understanding  
2 she's done some wildlife work, and just to give the -  
3 - the Board and others a sense of her experience.

4 Normally, I would do that asking open-  
5 ended questions, which is the general practice in  
6 direct examination. But because I'm trying to move  
7 through this a little more quickly, I'll ask the  
8 Board to forgive me if I ask some leading questions  
9 in these areas which I understand to not be  
10 contentious.

11

12 EXAMINATION-IN-CHIEF BY MR. BYRON WILLIAMS:

13 MR. BYRON WILLIAMS: Ms. Johnson, I  
14 don't know if you -- do you -- if you have a copy of  
15 your curriculum vitae with you, but if we could just  
16 flip in to the fourth -- about four (4) pages in, the  
17 top of that page we should see a heady -- or heading,  
18 "Manager of Community Programs."

19 And I just -- we won't elaborate on  
20 it, but I would be correct in saying that you got  
21 your start in road safety as a -- a police constable  
22 in Lancashire, where you served for a time as an area  
23 road safety officer, correct?

24 MS. MAVIS JOHNSON: That is correct.

25 MR. BYRON WILLIAMS: And upon moving

1 to Canada between 1980 and 1987, you worked both for  
2 the Vancouver Safety Council and the Vancouver Island  
3 Safety Council, correct?

4 MS. MAVIS JOHNSON: That's correct.

5 MR. BYRON WILLIAMS: And amongst the  
6 core -- the programs that you oversaw the delivery of  
7 included pedestrian safety, bicycle and motorcycle  
8 programs, and defensive driving courses?

9 MS. MAVIS JOHNSON: Correct.

10 MR. BYRON WILLIAMS: Now, in 1987 you  
11 went over to the good folks at ICBC, where you were  
12 manager of community programs in the Traffic Safety  
13 Education Department for three (3) years.

14 Agreed?

15 MS. MAVIS JOHNSON: That's correct.

16 MR. BYRON WILLIAMS: And was that in  
17 the Kootenays?

18

19 (BRIEF PAUSE)

20

21 MR. BYRON WILLIAMS: Was that in the  
22 Kootenays?

23 MS. MAVIS JOHNSON: Yes, it was.

24 MR. BYRON WILLIAMS: And one (1) of  
25 your tasks there was coordinating community road

1 safety programs in thirty-two (32) different  
2 communities?

3

4 (BRIEF PAUSE)

5

6 MS. MAVIS JOHNSON: That's correct.

7 MR. BYRON WILLIAMS: And for -- for  
8 Mr. Oakes's benefit, was there also a wildlife  
9 program involved in that -- in -- in that time?

10 MS. MAVIS JOHNSON: Yes, there was.  
11 Did you want me to describe it?

12 MR. BYRON WILLIAMS: Just very  
13 quickly.

14 MS. MAVIS JOHNSON: Wildlife road co  
15 -- vehicle road collisions, they're a huge issue in  
16 the Kootenays. And we had a multi-disciplinary  
17 committee made up of BC wildlife biologists, the  
18 RCMP, the Ministry of Transportation and Highways,  
19 health professionals, rod and gun clubs who met  
20 together to try and address this terrible issue,  
21 particularly through the Kootenay National Park.  
22 Parks Canada were involved. And through campaigns  
23 through the peak times of the year, when wildlife  
24 were migrating or using their migratory routes, we  
25 had very intensive programs.

1                   During that time, we tested many  
2 different types of electronic devices and different  
3 gizmos, for want of a better ex -- explanation, of  
4 things that actually might try and prevent either the  
5 ve -- deers coming onto the road or drivers getting  
6 advanced warning of them. None of them were  
7 effective. But it was an interesting understanding  
8 for many of the parts of BC who all were de --  
9 debating with the same problem.

10                   So the Vehicle Wildlife Collision  
11 Program still exists in BC.

12                   MR. BYRON WILLIAMS: Thank you. Now,  
13 just moving to 1990 and moving to the -- one (1) page  
14 forward in your resume, to page 3, you served as a  
15 district manager within the Traffic Safety Education  
16 Department of ICBC for a number of years.

17                   And in that role, you provided  
18 management and leadership to road safety managers and  
19 coordinators?

20                   MS. MAVIS JOHNSON: That's correct.

21                   MR. BYRON WILLIAMS: And amongst the  
22 tasks was -- in -- in that role was setting the  
23 strategic direction in the areas of impaired driving,  
24 occupants re -- occupant restraints, and speed  
25 management?



1 MS. MAVIS JOHNSON: That's correct.

2 MR. BYRON WILLIAMS: Now, the bulk of  
3 your time was spent as the manager of Road  
4 Improvement Strategies at the Insurance Corporation  
5 of British Columbia.

6 And would I be correct in suggesting  
7 to you that in that role you developed and  
8 implemented a road-improvement program that  
9 identified, studied, and improved high-collision  
10 locations and quarters?

11 MS. MAVIS JOHNSON: Yes.

12 MR. BYRON WILLIAMS: You also  
13 introduced the Safety Conscious Planning Program  
14 aimed at pre -- preventing the unsafe situations  
15 occurring in infrastructure planning and design  
16 processes?

17 MS. MAVIS JOHNSON: That's correct.

18 MR. BYRON WILLIAMS: And you also  
19 introduced a community-based and integrated approach  
20 to traffic safety through the Safer City Program?

21 MS. MAVIS JOHNSON: Yes, that's  
22 correct.

23 MR. BYRON WILLIAMS: And allowing  
24 only for a very brief elaboration, did you have a  
25 role within the re -- strategic planning exercise of

1 road safety at ICBC during that time?

2 MS. MAVIS JOHNSON: Yes. I was also  
3 responsible for long-term road safety planning at  
4 ICBC.

5 MR. BYRON WILLIAMS: Flipping now to  
6 the -- the second page of your resume under, "Other  
7 Relevant Experience."

8 Would I be correct in suggesting that  
9 for the Canadian Council of Motor Transport  
10 Administrators, you conducted the midterm review of  
11 Road Safety Vision 2010?

12 MS. MAVIS JOHNSON: Yes, I did.

13 MR. BYRON WILLIAMS: And in  
14 anticipation of Road Safety Vision 2015, you provided  
15 an environmental scan of road safety programs, both  
16 domestic and international, correct?

17 MS. MAVIS JOHNSON: Yes, I did.

18 MR. BYRON WILLIAMS: Would I be  
19 correct in suggesting to you moving to the Province  
20 of Alberta that you played a -- a role in the  
21 development -- developing the implementation and act  
22 -- action plan for Alberta Traffic Safety?

23 MS. MAVIS JOHNSON: Yes, I did, and I  
24 still do.

25 MR. BYRON WILLIAMS: And you play a

1 role both in strategic and annual operating plans  
2 within Alberta to this date?

3 MS. MAVIS JOHNSON: Yes.

4

5 (BRIEF PAUSE)

6

7 MR. BYRON WILLIAMS: And just one (1)  
8 last Canadian reference.

9 Am I correct in suggesting that on  
10 behalf of the BC Provincial Health Officer in 2010,  
11 you undertook a review of all road safety activities  
12 in -- in BC and made recommendations for improvement?

13 MS. MAVIS JOHNSON: Yes, I did.

14 MR. BYRON WILLIAMS: Very quickly to  
15 the international stage, which is at page 5 of your  
16 curriculum vitae. It should -- at the top of the  
17 page it should have, "State of Victoria, Australia."  
18 "State of Victoria, Australia."

19 Would it be correct to say that for  
20 the -- you conducted reviews of the Road Safety  
21 Action Plan in the State of Victoria on three (3)  
22 different occasions?

23 MS. MAVIS JOHNSON: Yes, I did.

24 MR. BYRON WILLIAMS: And in that role  
25 you reviewed both local government and community Road

1 Safety Council initiatives, as well as progress of  
2 Vic Roads Community Road Safety Strategy?

3 MS. MAVIS JOHNSON: Yes, I did.

4

5 (BRIEF PAUSE)

6

7 MR. BYRON WILLIAMS: And in terms of  
8 New Zealand, I'm moving down the page, you consulted  
9 on integrated community road safety planning and  
10 engineering?

11 MS. MAVIS JOHNSON: Yes.

12 MR. BYRON WILLIAMS: Just a couple  
13 more questions, Ms. Johnson. You heard both myself  
14 and My Friend, Mr. Triggs, use the term 'road safety  
15 capacity management'.

16 Could you provide a very brief  
17 description of what that means?

18 MS. MAVIS JOHNSON: Road safety  
19 management capacity review is a process of going to a  
20 state, a country, and undertaking an assessment of  
21 the ability, the management capacity ability for the  
22 state, the province, the country, to undertake a  
23 major road safety strategic initiative.

24 MR. BYRON WILLIAMS: And you would  
25 have performed those functions in an international

1 capacity in Brazil?

2 MS. MAVIS JOHNSON: Yes.

3 MR. BYRON WILLIAMS: And you would  
4 have had both a strategic review process role as well  
5 as a road safety cap -- capacity management role in  
6 Vietnam?

7 MS. MAVIS JOHNSON: Yes. Actually, I  
8 was the manager of the road safety strategy -- the  
9 road safety consultant to the three (3) year  
10 demonstration project in Vietnam. It was the largest  
11 road safety project ever undertaken by the World  
12 Bank.

13 MR. BYRON WILLIAMS: And again,  
14 there's -- there's more information about Belize and  
15 other jurisdictions. But just to go finally to the  
16 top page of the -- the next page of your curriculum  
17 vitae, Wash -- it's titled, "Washington, DC."

18 Would it be fair to say that on behalf  
19 of the International Council on Alcohol Policies,  
20 you've assisted in the development of a situational  
21 analysis to identify the scope of the drink-driving  
22 problems in a country, and also advise in terms of  
23 strategies?

24 MS. MAVIS JOHNSON: Yes, that's  
25 correct.

1 MR. BYRON WILLIAMS: And am I correct  
2 in suggesting that that pilot project is continuing  
3 and -- and six (6) new countries will be desg --  
4 designated?

5 MS. MAVIS JOHNSON: Yes. This  
6 project is solely focussed on global drink-driving  
7 strategy. And six (6) countries are already on  
8 board, and six (6) more will be brought on in 2014.  
9 And the idea of -- of the assessment is to really try  
10 and understand the scope of the drink-driving problem  
11 in the particular country, because if you don't  
12 understand the problem, it's very hard to develop the  
13 solutions that you need.

14 MR. BYRON WILLIAMS: Subject to any  
15 questions of the Board, I intend to move on from Ms.  
16 Johnson's qualifications. Are there any questions  
17 that the Board has?

18

19 (BRIEF PAUSE)

20

21 MR. BYRON WILLIAMS: Ms. Johnson, am  
22 I correct in suggesting to you that you were  
23 responsible for the production of three (3) pre-filed  
24 documents in this proceeding, one (1) being your  
25 written evidence, "A Review of Road Safety Programs

1 at Manitoba Public Insurance and International Good  
2 Practice," which is marked as CAC Exhibit 3?

3 MS. MAVIS JOHNSON: Yes.

4 MR. BYRON WILLIAMS: And you were  
5 also responsible for the preparation of information  
6 responses to Manitoba Public Insurance which are  
7 marked as MPI-7?

8 MS. MAVIS JOHNSON: Yes.

9 MR. BYRON WILLIAMS: And you were  
10 also responsible for the production of information  
11 responses to the CMMG, which are marked as CMMG-3?

12 MS. MAVIS JOHNSON: Yes.

13 MR. BYRON WILLIAMS: And those  
14 documents were prepared under your direction and  
15 control?

16 MS. MAVIS JOHNSON: Yes, they were.

17 MR. BYRON WILLIAMS: And to the best  
18 of your knowledge and belief, are they accurate?

19 MS. MAVIS JOHNSON: Yes.

20 MR. BYRON WILLIAMS: With that, Madam  
21 Chair, I'm going to ask either Ms. Menzies or Mr.  
22 Singh to dim the lights, and I'd ask Ms. Johnson to  
23 walk us through your PowerPoint presentation.

24 I would indicate that I may interrupt  
25 her from time to time to ask some questions, and

1 certainly Ms. Johnson would invite the Board, if they  
2 have questions on a specific page, to do so.

3                   And just to assist the Board, Ms.  
4 Johnson will be mostly working off of her PowerPoint,  
5 but she will be making reference to some tables in  
6 her written evidence. So to avoid flipping around,  
7 you may wish to have open page 9, table -- which  
8 should have Table 1 at the top. We're not starting  
9 with that, but we'll be coming to that in -- in just  
10 a few moments.

11                   And if -- if the Board has that page -  
12 - just one (1) second.

13

14                   (BRIEF PAUSE)

15

16                   MR. BYRON WILLIAMS: Ms. Johnson,  
17 I'll -- I'll ask you to proceed.

18                   MS. MAVIS JOHNSON: Thank you. You  
19 might need to leave one (1) light on in case somebody  
20 wants to make notes. Thank you.

21                   I'm delighted that I'm having the  
22 opportunity to make this presentation this afternoon.  
23 I really feel that it provides a lot of background  
24 information that is summarized in the document that  
25 was -- that was pro -- provided.



1 I think one (1) of the things that  
2 often we don't understand is the complexity of road  
3 safety, and so I'm hoping to give it some context.

4 "Road safety is no accident," was the  
5 first time that road safety had ever been highlighted  
6 as an important health issue. And in 2004, the World  
7 Health Organization dedicated its annual work to the  
8 victims of road traffic collisions. That spurred a  
9 lot of activity internationally on the topic of road  
10 safety. And because it has become important  
11 internationally, it has become also important  
12 nationally and locally here in Canada.

13 In my presentation this afternoon, I  
14 want to talk a little bit about the purpose of the  
15 report, why it was done. I'll talk about -- a little  
16 bit about traffic collisions and patterns and trends,  
17 but I'm not going to dwell a lot on that because all  
18 the information is within the documents that are  
19 available online about the collision statistics in  
20 the Province of Manitoba.

21 I'm then going to talk about a section  
22 on international good practice, which includes the  
23 Safe System Approach and a comprehensive road safety  
24 management approach. And the reason that so much  
25 time I think needs to be dedicated to these topics is

1 because, for many people, this information is not  
2 well known in Canada yet.

3 I'll then talk about the role of  
4 insurance and why road safety is an important loss-  
5 prevention tool for auto insurance companies. And  
6 I'll talk about the program specifically at MPI and  
7 its -- and some recommendations.

8 The purpose of -- as we look at the  
9 identifying national and international good practice  
10 is that I really believe that this is where MPI and  
11 the Province of Manitoba need to move to, that we  
12 need to look at what is international good practice  
13 in road safety.

14 My second point here is that I haven't  
15 spent a lot of time discussing the topic of auto  
16 crime. I do believe that this is an excellent  
17 example of identifying the need, researching it,  
18 developing and implementing a program, doing a pilot  
19 project, evaluating it, and rolling it out province  
20 wide. And so as I see certainly from the MPI -- MPI  
21 website, is that we would consider that perhaps be in  
22 a maintenance mode. But it has been an ex --  
23 excellent example of how we can address a really very  
24 important issue.

25 I'm going to talk a lot about

1 monitoring and evaluation, which is my third point,  
2 is the purpose was to review the existing approach to  
3 evaluating road safety programs. And I'll talk about  
4 MPI, and also about programs and other stakeholders  
5 and what, together, perhaps MPI might lead the charge  
6 about road safety.

7                   Now, some of the things I'm going to  
8 talk to you about today currently fall outside the  
9 purview of Manitoba Public Insurance. They're the  
10 responsibility of other agencies, such as the  
11 ministry of infrastructure and transportation, the  
12 RCMP and the municipal police forces. But I think it  
13 is really important when we're talking about road  
14 safety that we are exposed to the whole and complex  
15 nature of what needs to be done to create effective  
16 results.

17                   And so I fully realize that some of  
18 the things that I'm talking about are outside the  
19 purview of -- purview of MPI, but I think it really  
20 helps to build a picture of the road safety plan that  
21 we would like to see in Manitoba in the future.

22                   The key messages that came out of my  
23 report, and I hope that you will agree with this,  
24 that if we use an integrated and Safe System  
25 approach, there is realistic potential over time to

1 reduce claims costs, and the tragic social and  
2 economic costs of crashes. Many road safety programs  
3 take a long time. It's not a quick fix. There is no  
4 silver bullet. But once we set off on a plan, at  
5 least we know where we want to be.

6                   The other key message, second key  
7 message, is that the ability of MPI to optimize its  
8 road safety expenditures appears to be impeded by the  
9 absence of a road safety strategy, a coordinated and  
10 strategic approach to road safety.

11                   My next point is that within the  
12 context of an auto insurer it is really important to  
13 critically evaluate the costs and returns on  
14 investment of individual programs. Undertaking  
15 business cases, business case development,  
16 identifying road safety impacts on claims costs, and  
17 cost containment should be at the forefront of why  
18 Manitoba Public Insurance does what it does.

19                   When we look at whether the programs  
20 that are being undertaken are -- are optimally  
21 designed, then I might recommend that perhaps we  
22 aren't getting the best bang for the buck. And --  
23 and as I was thinking of that, I was also thinking  
24 about how I -- how MPI determines how much it's going  
25 to allocate to each of the different programs.

1                   The pie is only so big and you can  
2 only divided it into so many parts, pieces. And --  
3 and I might suggest that a cost of \$2.15 million in  
4 advertising, which is very difficult to measure,  
5 might be an -- not as well invested as the costs of  
6 the Road Watch program, which only four hundred and  
7 three thousand dollars (\$403,000), when in fact most  
8 of the programs that involve enforcement can be  
9 measured and monitored, and we can get real results  
10 of what those programs do.

11                   If you'd like to turn in your paper  
12 document to page 9, I'd just like to refer you to  
13 Table 1.

14                   MR. BRIAN WILLIAMS:    So, Ms. Johnson,  
15 just to be clear. You're referring to Table 1 found  
16 in your CAC Exhibit 3, your pre-filed written  
17 evidence?

18                   MS. MAVIS JOHNSON:    Yes. This --  
19 this document, this -- and I'm holding up now the  
20 Traffic Collisions Statistics Report document for  
21 2011, and -- and its predecessors, should be the  
22 foundation for decision-making.

23                   Everything that we do in road safety  
24 should be tied to a need, and the needs are explored  
25 in -- in documents such as this. And the only reason

1 I want to look and remind you of what's in Table 1 is  
2 a ten (10) year summary of the progress that has been  
3 made in road safety in the last decade. And to say  
4 that the progress is minimal, probably is a good word  
5 to describe what progress has been made.

6 Over a ten (10) year period, despite  
7 the fact that the colleagues that were here yesterday  
8 talked about making a 1 percent difference in traffic  
9 crashes in a year, I think we should be looking for  
10 significant progress in a decade. And one (1) of the  
11 outcomes of the road safety mid-term review in 2007  
12 was that Canada and all its jurisdictions were making  
13 little progress towards the overall targets.

14 So it's very, very important that we  
15 look -- perhaps not annually because annually  
16 collisions can go up and down, there can be  
17 fatalities and serious injuries that go up and down.  
18 The collisions can be skewed by a bad winter, a bad  
19 bus crash with twenty (20) people killed. So but we  
20 should certainly be looking at five (5) to ten (10)  
21 year averages to show what has been -- happened,  
22 where are the identified needs. As I said, again,  
23 data should be the foundation of all our decision-  
24 making.

25 Out of all the data in this book I've

1 just highlighted a few things that I think require  
2 further attention. Young drivers, those aged sixteen  
3 (16) to nineteen (19) continue to have the highest  
4 rates of involvement in collisions. And in 2011,  
5 that figure increased by 19 percent from 2010. Now,  
6 that is a significant number. But, again, it's the  
7 progress over the last five (5) to ten (10) years  
8 that we need to review.

9                   And what I find somewhat disturbing  
10 about the fact that young drivers are still very much  
11 over-represented in crashes, is that in Manitoba we  
12 have a high school driver education program, which is  
13 a huge cost for MPI. We have a very solid graduated  
14 driver licensing program that certainly is in line  
15 with all the other provinces and territories. We  
16 have programs in high schools that -- for speakers to  
17 talk to high school students.

18                   What that tells me is we need to look  
19 for new ways to address young people. Obviously, we  
20 aren't getting through to them and so we do have to  
21 take the time to look at what other types of  
22 approaches that are working internationally. How can  
23 we improve the sit -- safety situation of young  
24 drivers.

25                   Another int -- interesting statistics

1 in patterns and trends is about the differences  
2 between rural and urban collisions. Now it's not --  
3 it's not unrealistic that in the City of Winnipeg  
4 where there's a high population and a high number of  
5 vehicles that there would be a high number of  
6 crashes. In fact, 58 percent of all collisions occur  
7 in the City of -- of Winnipeg.

8 But if we look at rural areas, we look  
9 at rural roads, they only have 23 percent of all the  
10 collisions that take place. But, in fact, 60 -- 66  
11 percent of all fatals take place on rural roads.

12 Now, there might be many reasons for  
13 this. People might be driving faster, there might be  
14 roadside objects on the side of the road, the  
15 shoulders may not be very good, the roads might be  
16 narrow and windy and uphill, and there may be poor  
17 sight distance. The weather might have an impact;  
18 wildlife, even the lack of immediate emergency  
19 medical services. In that golden hour immediately  
20 after a collision, that can be det -- that can  
21 determine whether a collision is a serious injury or  
22 is a fatality.

23 And it's not uncommon in British  
24 Columbia for somebody in rural BC to have to actually  
25 go to four (4) different hospitals before they can



1 get a treatment. So that may be why we have a lot of  
2 fatalities. People may not be wearing their  
3 seatbelts. The tires on the vehicle may not be very  
4 good.

5                   But before we start to have a program  
6 that addresses rural road safety crashes, we need to  
7 do -- dig a lot deeper to understand what other types  
8 of collisions that are occurring and what -- and --  
9 and where are they occurring. So it's not just a  
10 case of moving everything into rural road safety; we  
11 have to have look at what is -- what is the topic --  
12 worst topic that we want to solve.

13                   Now, you might wonder, Well, in  
14 patterns and trends, what different -- what does it  
15 matter that most collisions occur in January,  
16 February, and December, or between Wednesdays and  
17 Fridays, or in the afternoon rush hour.

18                   These might be trivial. But when  
19 we're deciding on when to do enforcement, when the  
20 police are determining when they're going to do  
21 enforcement, when they're going to spend the road  
22 safe money, then these sorts of things need to be  
23 taken into consideration. They need to be ensuring  
24 that the times that the enforcement is being  
25 undertaken is appropriate to what the problem we're

1 trying to solve.

2                   And again, I realize that is not an  
3 MPI role. But the consequences of collisions that  
4 occur on our roads because of impaired driving,  
5 speed, and any of the other topics, those  
6 consequences are responsibility and directly hit the  
7 bottom line for MPI.

8                   We have quite a high se -- high  
9 seatbelt-wearing rate in Manitoba. I think it's  
10 certainly in the low nineties (90s), a little bit  
11 lower in the -- in the rural areas. But in fact,  
12 this data tells us that 39 percent of people killed  
13 in traffic crashes are not buckled up.

14                   Now, many of the provinces and  
15 territories have put seatbelt campaigns onto the back  
16 burner, as it were. They're in maintenance mode. But  
17 ultimately it is still a major concern, because the  
18 best protection for a driver who's involved in a  
19 collision is if he's wearing a seatbelt, and the  
20 front-seat passenger.

21                   I think it's very important, when we  
22 look at patterns and trends, we look at all  
23 collisions. We can spend time looking at all  
24 collisions, or we can tend -- spen -- spend time  
25 focussing on those that cause death and serious

1 injury, because they tend to be the ones that are  
2 most costly for MPI.

3                   And so I -- if we look at the  
4 contributing factors to fatal and seriously injured  
5 crashed, then we would come up with these priorities:  
6 speed, distracted driving, impaired driving, and lost  
7 control and driving off the road.

8                   What I've included here, based on the  
9 data that's in this document, in the Traffic  
10 Collision Statistics Report 2011, is that perhaps the  
11 priorities need to be as they were, and also include  
12 young drivers and collisions on rural roads, because  
13 these are shown statistically to be the causes of  
14 most of the crashes.

15                   You might wonder why you don't see  
16 vulnerable road users, or bicycles, or pedestrians,  
17 or motorcyclists on this list. My belief is that a  
18 move to a Safe System Approach when we talk about how  
19 we build safer infrastructure, especially in  
20 municipalities, is that safer infrastructure would  
21 pay attention to the needs of pedestrians, cyclists,  
22 and motorcyclists. So indirectly they will be  
23 addressed by this more comprehensive approach called  
24 the Safe System Approach.

25                   If you could just turn to page 3 in my

1 report, which is document number --

2 MR. BYRON WILLIAMS: It's actually  
3 Table 3 --

4 MS. MAVIS JOHNSON: Table 3.

5 MR. BYRON WILLIAMS: -- which is on  
6 page 14 of the -- the report. And I'm going to  
7 excuse myself for just one (1) minute but encourage  
8 Ms. Johnson to carry on.

9 MS. MAVIS JOHNSON: On Table 3  
10 there's a -- a chart that I produced that compares  
11 all of the provinces and territories based on  
12 fatalities per hundred thousand population, based on  
13 billion vehicle-kilometres travelled, and based on a  
14 hundred thousand licensed drivers.

15 This is the only way really you can  
16 compare provinces because we -- we have to have a  
17 benchmark. Obviously, those provinces that are over-  
18 populated have more crashes. So what these -- those  
19 provinces that have greater mobility have more  
20 crashes. And so this is the only way that really the  
21 provinces and territories can be compared with each  
22 other.

23 But I'd like to provide you some  
24 caution about how those numbers come to be on these  
25 tables in the first place. Each of the provinces and

1 territories provides statistical information to  
2 Transport Canada, but the information that they  
3 provide comes from very, very different sources.

4           And one (1) of the reasons is that in  
5 most jurisdictions, being the provinces and  
6 territories, the police have different ways and  
7 different benchmarks for reporting collisions. Some  
8 provinces, the police attend every injury collision  
9 and report it. Some provinces only attend  
10 fatalities. Some provinces only take in self-  
11 reported collisions. Some provinces combine their  
12 police-reported data with their claims data and  
13 produce one (1) document.

14           So these documents come from so many  
15 different sources that really, although it might give  
16 you an indication of how things compare with each  
17 other, I just want to caution you about what -- what  
18 the source of those documents were to start with.

19           And again, we do have some  
20 discrepancies in all of the provinces -- or should I  
21 say in the -- in the provinces that have a  
22 government-based auto insurance, there is a  
23 difference between collision data and claims data.  
24 And so whenever we're talking about what we're going  
25 to do based on our data, we have to be clear about

1 whose data we're talking about.

2                   And one (1) of the ultimate goals of a  
3 -- a concrete road safety strategy is to have one (1)  
4 source of data that all the partners can agree to so  
5 that when they're talking about data, everybody's  
6 talking about the same thing.

7                   I'm sorry this slide caused a little  
8 bit of disruption this morning, but the only reason I  
9 wanted to show it is it is talked about in  
10 international good practice, and that is the fact  
11 that we are in this decade of action for road safety.

12                   2011 to 2020, globally, many countries  
13 are working on these five (5) pillars, five (5) key  
14 pillars that have been identified as important  
15 priorities: road safety management, road  
16 infrastructure, safer vehicles, road user behaviour,  
17 and post-collision care. And we would expect that  
18 any strategic road safety plan that's developed  
19 anywhere would have those five (5) pillars  
20 represented in their documents.

21                   Staying on the theme of international  
22 good practice, I just want to spend a couple of  
23 minutes just talking about this slide because it's  
24 very, very important that we learn from good-practice  
25 countries. We don't have to reinvent the wheel,

1 because somebody's already done it before us.

2                   And it might not surprise you to know  
3 that every country in the world is dealing with the  
4 same issues: people don't buckle up, they drink and  
5 drive, they drive too fast for the conditions, they  
6 drive distracted, they're fatigued. Every country in  
7 the world is dealing with -- with these same issues.  
8 The amount of -- of which of those are priorities  
9 might -- might differ, but everybody's dealing with  
10 the same topics.

11                   So we don't have to reinvent the  
12 wheel, but we can learn from other countries has to  
13 do with overall management of road safety. And those  
14 countries that are doing well have good governance  
15 models. If it's at the country level, the prime  
16 minister or the -- the cabinet takes a keen interest  
17 in road safety. Some countries have a minister of  
18 road safety.

19                   If you drop down to the provincial  
20 level, then we would expect the highest level of  
21 authority within -- within government, which is the  
22 premier and the -- and the legislator, for them to  
23 take a key role in ensuring that road safety's kept  
24 as a key pub -- public policy issue. And even when  
25 we get down to the municipal level, we have mayor and

1 council, and it's up to them to take a good  
2 leadership role in road safety.

3 All the good-practice countries that  
4 are -- are doing well have integrated programs. They  
5 have partnerships. They have organizations and  
6 structures whereby they can all work together towards  
7 common goals.

8 And the other one I just want to  
9 mention on this is the issue of being targeted, which  
10 includes monitoring and evaluation. If you don't  
11 have a target, and particularly numeric target, how  
12 do you know whether you've been successful or not?  
13 You keep doing and doing and you can assess outputs,  
14 but you can't -- but if you don't know what the  
15 outcomes are from those outputs, then your programs  
16 may have been in vain.

17 It is hinted through this document as  
18 I talk about the Safe System Approach that road  
19 safety is very complex and it's very multi-  
20 disciplinary. And we have many different disciplines  
21 that are involved and engaged in road safety. And  
22 the strengths of a road safety strategy in a  
23 province, a territory, or in the city, or at the  
24 country level, is in how it engages all these  
25 partners to work together.



1                   And we would want to ensure that the  
2 people who are promoting safer vehicle use are at the  
3 table. We need researchers. We need people who work  
4 in health promotion, as well as we have all sorts of  
5 people promoting healthy lifestyles. And the key  
6 healthy lifestyle is to avoid being involved in  
7 traffic crashes.

8                   So we need all these different  
9 partners and stakeholders at the table. And some of  
10 them might be quite new. You may not realize that a  
11 certain organization has a key interest in road  
12 safety.

13                   This chart might have also caused some  
14 concern this morning and, again, it's not reflected  
15 on MPI numbers. What I'm trying to point out to here  
16 is that when we're looking at crash causes, police  
17 reports often write some driver behaviour that caused  
18 this collision. And, in fact, 90 -- over 90 percent  
19 of all clashe -- crashes are caused either by human  
20 error, they made a mistake, or human condition, they  
21 were drunk, they were fatigued, they were texting or  
22 whatever.

23                   And while they are the biggest bulk of  
24 the contributing factor to collisions, that doesn't  
25 mean that we should focus 90 percent of our effort on

1 trying to change driver or road user behaviour  
2 because there are other things that we can do that  
3 can help improve the situation without trying to  
4 always be banging the road user on the head. We can  
5 improve the roads.

6                   And, in fact, there are many studies  
7 that show, if we can improve our roads and with --  
8 with what I call 'true safety improvements', we can  
9 actually reduce crashes on our roads by about 70  
10 percent. So we could spend more time in providing a  
11 forgiving road, forgiving roadsides, safer speeds,  
12 putting in roundabouts, building better clear zones  
13 on our road.

14                   And despite the fact that the vehicle  
15 takes such a minor amount, that is because, often,  
16 the police officer never writes on the report that  
17 the tires were not appropriate for the condition.

18                   Now, tire safety has become an  
19 important road safety activity globally, and  
20 particularly in Canada. And so it's an issue that  
21 perhaps we want to pay more attention to. And you  
22 might think, Well, it only reflects 3 percent of all  
23 collisions, so why would we waste our time trying to  
24 improve the safety of vehicles. But there other  
25 gains to be made by doing even these small things.

1 I'm going to move on now. And again,  
2 the Safe System Approach relates to this crash  
3 contributor, the vehicle, the road, and the driver.  
4 That's a system. And when that system breaks down  
5 crashes occur. And so the Safe System Approach is  
6 technically built on bringing all of this -- all the  
7 -- of all these components into a solid program.

8 It's based on work in Sweden called  
9 Vision Zero, in the Netherlands called Sustainable  
10 Safety, and in Australia, Safe System Approach,  
11 which has now been adopted in Alberta, and also in  
12 BC, and is the recommendation for Canada's road  
13 safety strategy 2015.

14 So the Safe System Approach has been  
15 developed for us to really show how we can engage all  
16 these contributors in the system, how they can  
17 contribute to a safer system.

18 And the Safe System is -- talks about  
19 -- recognizes the limits of the human body. This is  
20 all related to physics. It's all related to how fast  
21 a car can be going at, and if it hits a pedestrian,  
22 whether the pedestrian will live or die. I'll talk  
23 about that -- these limits to the human body in a  
24 moment.

25 It is recognized by all these other

1 good-practice countries that systematic approaches  
2 bring a coordinated benefit. In fact, the whole is  
3 greater than the sum of the parts. So while we might  
4 have silos working on their -- their component parts,  
5 if we all work together, the actual benefits can be  
6 so much greater.

7                   The Safe System Approach always --  
8 also recognizes that despite the fact that we have a  
9 big focus on prevention in many countries, crashes  
10 occur. People make mistakes.

11                   But I was interested -- I was looking  
12 at an interesting document this week that shows that  
13 in most -- in -- in most provinces in Canada, most  
14 people have only ever had one (1) insurance claim in  
15 their life. So this isn't something that's happening  
16 to people every day. They don't crash every day.  
17 They crash very rarely, because crashes are random  
18 and rare events.

19                   So people do make mistakes, but they  
20 shouldn't have to die as a result of making a  
21 mistake. And what the Safe System Approach does is  
22 it aims to minimize the severity of the injury. So  
23 if a collision occurs, how can the injury be  
24 minimized?

25                   So what this chart tell us at what

1 type of speeds and impact speeds deaths will occur.  
2 And at speeds of less than 30 kilometres an hour, at  
3 30 miles -- at 30 kilometres an hour, the vehicle  
4 occupancy side-impact crashes with poles and trees,  
5 such as you might experience on rural highways, then  
6 vehicle occupants will probably die.

7 At a higher -- at anything higher than  
8 40 kilometres an hour, if a pedestrian, cyclist, or  
9 motorcyclist gets hit, they are likely to not survive  
10 either.

11 At 50 kilometres an hour, vehicle  
12 occupants who -- sorry. Yes, side-impact crashes  
13 with other vehicles. And this is why side-impact air  
14 bags have become such a life saver, because not many  
15 years ago these T-bone-type collisions were nearly  
16 always fatalities. There's now some savings because  
17 of these side-impact air bags.

18 And in head-on crashes at speeds in  
19 excess of 70 kilometres an hour, then vehicle  
20 occupants are likely to die.

21 MR. REGIS GOSSELIN: It seems to me  
22 that -- excuse me, Ms. Johnson. It seems to me that  
23 the symbol there is wrong. It should be greater than  
24 or equal to.

25 MS. MAVIS JOHNSON: Greater than?

1 Greater than?

2 MR. REGIS GOSSELIN: Yeah. Yes.

3 This is indicating less than/equal to 30 kilometres  
4 per hour. Sorry.

5 MS. MAVIS JOHNSON: Okay. I'm sorry.  
6 I hadn't noticed that. Would you make that  
7 correction in -- in your notes?

8 MR. REGIS GOSSELIN: Yes. Yeah. And  
9 -- and I think the -- the last one, there's a divider  
10 -- division sign there. It should be --

11 MS. MAVIS JOHNSON: Seventy (70) to  
12 eighty (80). It's between 70 and 80 --

13 MR. REGIS GOSSELIN: Okay.

14 MS. MAVIS JOHNSON: -- kilometres.

15 MR. REGIS GOSSELIN: Yeah.

16 MS. MAVIS JOHNSON: Thank you for  
17 bringing that to my attention. That was overlooked.

18 The point -- the point here is that  
19 when we're building a Safe System Approach, we need  
20 to pay attention to these types of -- of speed limit  
21 capacities.

22 This is quite a busy chart, and this  
23 explains a few more pages in the book, but I think  
24 it's an important thing to go through. I'd like to  
25 start in the middle, because, ultimately, that's

1 where we want to start, is the human tolerance to  
2 physical forces. We're talking about what is the  
3 maximum tolerance that humans can -- can take in the  
4 event of a crash.

5                   And we address that by these three (3)  
6 round boxes around here: by providing safer vehicles  
7 travelling at safer speeds, on forgiving highways, on  
8 safer roads with safer roadsides.

9                   Those, though, in itself are based on  
10 a -- in addition to this, alert and compliant road  
11 users, because it's very difficult to address any  
12 road safety program to somebody who is texting or  
13 fatigued or -- or sleeping at the wheel.

14                   But it only is based on these four (4)  
15 platforms which we see around the outside of this  
16 document, which are understanding crashes and risk,  
17 the legislation and enforcement requirements,  
18 education and information that supports road uses,  
19 and admittance to the system.

20                   And I'd very quickly like to run  
21 through what -- what those things actually include.  
22 I'm just going to skip the next slide just to save  
23 time.

24                   So let's go to better understanding of  
25 crashes and risk. Obviously, we've got a lot of

1 information in books like the Traffic Collisions  
2 Statistics Report. But we need to go much deeper in  
3 that when we come to look and understanding crashes  
4 and risk.

5                   We can look at black spots. We can  
6 put black-spot maps together. A black spot is a  
7 place where there's a high frequency of collisions  
8 and that might be beyond a black spot to look at  
9 area-wide. It might look at a -- a neighbourhood in  
10 a -- in a city, or it might look at a corridor and  
11 look at the safety along a corridor.

12                   What's really important is that we try  
13 to delve much deeper into what is it that's causing  
14 crashes and what are the risks on the highway.  
15 There's risky behaviour, and there's risky driving  
16 environment.

17                   Very quickly, I'm not going to go  
18 through this slide; it is in your -- in your  
19 presentation there. But I just want to emphasize  
20 that legislation is a critical element in -- in the  
21 road safety strategy; that enforcement alone cannot  
22 exist if it doesn't have substantial and effective  
23 legislation below it. And that we also need  
24 standards that are set.

25                   We have highway standards and road



1 standards in -- in Canada through the Transportation  
2 Association of Canada. We have vehicle standards  
3 through Canadian Motor Vehicle Standards. We have  
4 standards set for drivers because we have driver  
5 licensing programs in each of the provinces and  
6 territories, so... And then we need regulations to  
7 make sure that all of these standards have  
8 regulations that can -- that can address them.

9 I'm not going to spend a lot of time  
10 talking about enforcement. I just want to talk a  
11 little bit about the importance of the public  
12 perception, which is critical to deterrence. And I'm  
13 assuming that MPI has this type of discussion with  
14 its police partners when they talk about general and  
15 specific deterrence. It's very, very important.

16 And the very last point is that any  
17 perception, any improvement in perception of the high  
18 risk of apprehension has to be sup -- supported by  
19 publicity. And I -- I'm aware that MPI spends a good  
20 deal of its road safety budget on enfor -- on public  
21 awareness campaigns. This is very important. It  
22 just has to make sure that it is tied in with  
23 enforcement components.

24 As we look at admittance to the  
25 system, we're talking about how we get drivers on and

1 off the road to start with. And again, Canada has  
2 actually become one (1) of the leading countries  
3 globally in its graduated driver licensing programs.  
4 But we mustn't forget that there are other people  
5 that are driving in our system that we need to pay  
6 attention to as well.

7                   We have physically and medi -- and  
8 mentally challenged drivers that we need to pay  
9 attention to. And we need to pay attention to aging  
10 drivers, not so much by age, but about medical. Are  
11 they medically at risk? Are they able to be on the  
12 road?

13                   So what goes along also with  
14 admittance to the system is how do we actually de-  
15 license drivers when it's the end of their driving  
16 time so that we only have safe drivers on our roads?

17                   I'm not going to talk about education  
18 and information here because I'm convinced that MPI  
19 clearly understand the importance of education and  
20 campaigns, how -- what its role is in influencing  
21 road-user culture. And again, I just want to remind  
22 -- remind us all again of the importance of the fact  
23 that advertising has to be really tied in with police  
24 enforcement, especially if you're looking for  
25 behaviour change. Behaviour will not change just

1 because somebody sees a message or hears a message  
2 constantly; they actually have to see some  
3 enforcement out there to actually change that  
4 culture.

5 I'm going to talk a little bit just  
6 about safer roads and roadsides because under a Safe  
7 System Approach we will look for roads that are  
8 predictable and forgiving of mistakes so that if a  
9 driver runs off the road, he doesn't pay that with  
10 his -- with his life.

11 And what you see on this picture in --  
12 on the top left there are what are called shoulder  
13 rumble strips. And again, shoulder rumble strips has  
14 become a very effective tool in preventing drivers  
15 from running off the road. They're also now used in  
16 the centre line to prevent drivers crossing into the  
17 lane of other pa -- other drivers.

18 These are very simple and reasonably  
19 cheap improvements. It's -- not talking about major  
20 millions in improving the roads or building bridges.  
21 It really talks to these safety features that can be  
22 added to roads.

23 When we come to municipalities,  
24 intersections, the majority of collisions occur at  
25 intersections because that's likely that's where

1 there is conflict. We can eliminate some of that  
2 conflict, or minimize it, by -- by perhaps creating  
3 roundabouts, whereas -- where everyone has to slow  
4 down to negotiate the roundabout.

5                   And it's interesting to note that in  
6 fact roundabouts across Canada have started to  
7 develop over the last ten (10) or fifteen (15) years,  
8 but it was the initiative at ICBC that actually  
9 introduced road roundabouts into Canada.

10                   There were major roundabouts in other  
11 cities, in Edmonton, in Victoria, that were called  
12 rotary intersections that weren't working. And, in  
13 fact, ICBC brought international expertise to share  
14 their knowledge. We shared across Canada. And now  
15 roundabouts are much, much more prolific all across  
16 Canada. And there are definite safety benefits and  
17 collision reduction and claims reduction costs as a  
18 result of introducing roundabouts.

19                   I'm just going to move on for these  
20 two (2) slides in the interest of time. I just want  
21 to talk a moment about safer travel speeds. There's  
22 many documents, and I hope that MPI do keep up to the  
23 best knowledge on speed management because not  
24 everything in here is about speed humps and rumble  
25 strips. There is -- there are pages and pages of

1 guidance in this document about how to influence the  
2 speed at which people drive. And so it is -- these  
3 are important documents to -- to be reviewed.

4 And I noticed --

5

6 CONTINUED BY MR. BYRON WILLIAMS:

7 MR. BYRON WILLIAMS: Ms. -- Ms.

8 Johnson, before you leave this page, in the course of  
9 -- and you've talked about speed -- speed humps and  
10 rumble -- sorry. Ms. Johnson, before you leave this  
11 page, during the course of the hearing from time to  
12 time a discussion of vulnerable road users has  
13 arisen. And I just wonder if you could speak for a  
14 second or two (2) to pedestrian refuge islands or  
15 pedestrian co -- crossing areas.

16 MS. MAVIS JOHNSON: Many  
17 municipalities are moving to provide safer pedestrian  
18 features, particularly in areas where there are an  
19 excess of pedestrian activity. This might be  
20 downtown shopping areas, strip shopping malls,  
21 schools, parks, playgrounds.

22 Municipalities are coming up with many  
23 different ways to change the character of the road  
24 that does one (1) of two (2) things. It can either  
25 slow the vehicles down as they approach the crossing

1 or the crossing opportunity, or they can actually  
2 break the crossing -- the pe -- pedestrian who is  
3 actually crossing the road. That means that they  
4 cross a half a road at a time, if you like, which is  
5 like some of the streets here. You cross to the  
6 centre median. You want to go up to look for traffic  
7 coming in one (1) direction, get to the central  
8 median, and then you move to the -- the second part  
9 of the crossing.

10                   And all these types of improvement,  
11 raising the pavement at marked crosswalks so the  
12 drivers can see this is a significantly different  
13 place and this is where pedestrians can go to cross  
14 the road, and they feel safer because the road  
15 characteristics are different there. And these are  
16 all handled through documents from the Transportation  
17 Association of Canada called the Traffic Calming Gri  
18 -- Guide. So traffic calming isn't only about how  
19 you slow vehicles down to go through areas of  
20 congestion but how do you provide for better safety  
21 and more effective safety for vulnerable road users.

22                   MR. BYRON WILLIAMS: I'm going to ask  
23 one (1) more question. Then we'll -- we'll let you  
24 move on. There's also been presentations in this  
25 hear -- hearing highlighting the vulnerability of

1 vulnerable road users, such as cyclists on -- on  
2 right turns.

3 And is there any insight developing  
4 across Canada in terms of that?

5 MS. MAVIS JOHNSON: Yes, there is.  
6 Many municipalities have started to review the policy  
7 for right turn on red. Do you have another name for  
8 it before I start talking about right turn on red?  
9 Do you have another name for what that --

10 MR. BYRON WILLIAMS: I believe we  
11 call it right turn on red.

12 MS. MAVIS JOHNSON: Okay. Right  
13 turn on red is the real premier, I guess, contributed  
14 to crashes at signalized intersections, because,  
15 first of all, many drivers don't understand the  
16 process of how to turn right on red. They see the  
17 rights -- light is on red, they're looking left to  
18 see if anything is coming through the intersection,  
19 they see nothing. So without even looking to the  
20 right, they start to move. But that's when the  
21 pedestrian has the green hand light to -- to go  
22 across.

23 And so many communities are really  
24 seriously looking at them. Some municipalities have  
25 stopped -- the -- the -- ability to right turn on

1 red, and they're -- they're signed, especially if  
2 there have been done studies there, that right turn  
3 on red is not permitted at this -- this location.  
4 The City of Montreal has eliminated right turn on red  
5 altogether.

6                   And again, this stems from the old  
7 culture in traffic management and traffic  
8 engineering, which was all about mobility and  
9 capacity. It was all about how can we move vehicles  
10 quicker, and why wait on a red light if there's  
11 nothing coming. But it really never paid attention  
12 to the fact that there could be pedestrians or  
13 cyclists moving across at this time.

14                   So does that answer your question?

15                   MR. BYRON WILLIAMS: Yes. And just  
16 one (1) more and then -- then we'll move on.

17                   So -- so let's just assume we've got a  
18 public auto insurer that doesn't have a mandate to  
19 invest in infrastructure.

20                   Do you -- in terms of right turn on  
21 red or traffic hot spots, do you see a potential role  
22 for a public auto insurer in terms of researching  
23 areas where -- where claims are more likely to occur  
24 or fatal claims are more likely to occur?

25                   MS. MAVIS JOHNSON: Well, yes,



1 inasmuch as one (1) of the key roles for an auto  
2 insurance company is the provision of data and  
3 working with the local road authority, whether it be  
4 a municipal road or a highways road is to keenly  
5 look, develop some maps to look at where the black  
6 spots are occurring. And not just at where they're  
7 occurring, but what is causing the crashes.

8                   It doesn't mean to say that every  
9 intersection might be a risk for -- for right turn on  
10 red collisions. But where there are, there should be  
11 focussed attention on them. And road safety studies  
12 are a really good way to -- to identify that.

13                   MR. BYRON WILLIAMS: Thank you. I'm  
14 sorry for interrupting. Please proceed.

15                   MS. MAVIS JOHNSON: I did just want  
16 to make one (1) more comment about speeds in  
17 municipalities, and that is that I am aware that in  
18 Manitoba the municipalities are now going to have the  
19 ability to set their own speed limits. While this  
20 might be a good thing, because I think most  
21 municipalities like to be responsible for those  
22 things that they should be responsible for, but there  
23 is going to be a down benefit from this.

24                   And that is that many municipalities  
25 will set their local downtown speeds or local

1 neighbourhood speed limits differently than their --  
2 than other towns and cities in their province. This  
3 is going to be an inconsistent practice, because one  
4 (1) of the things we know about driver behaviour is  
5 that the more consistent the regulations and the  
6 rules are, the more likelihood drivers are going to  
7 obey what the rules are.

8                   So if the speed through -- in driving  
9 through downtown Winnipeg is going to be fifty (50)  
10 but it's going to be thirty (30) in another town,  
11 then there's an imbalance there. What will have to  
12 happen is that the municipalities will have to do  
13 better signage of the speed zones so that they are --  
14 drivers passing through are fully aware of what the  
15 speed zones are in those communities.

16                   And I am very much a supporter of  
17 reducing speed limits in areas of high pedestrian  
18 publicit -- high pedestrian activity, such as school  
19 zones, parks, playgrounds, as I just said. So  
20 although I think giving municipalities the  
21 responsibility to -- to set their own speed limits  
22 might be a good thing, we would have to be cautious.  
23 There may be a dis-benefit to safety in the long run.

24                   In Europe -- in Europe, many, many  
25 gains have been made in changing the culture of

1 speed. Lots of people talk about the fact, Well, you  
2 know, there's no speed limits on autobahns or there's  
3 no 130 kilometre speed limits on some of the  
4 highways. But, in fact, even there, those countries  
5 are trying to reduce the speed of vehicles.

6           And in France, the -- the president of  
7 the country back in the late 2000s, actually his  
8 biggest agenda was to influence travel speed on their  
9 -- on their highways. And in only a few years they  
10 reduced their traffic fatality by 50 percent purely  
11 by the introduction of a very aggressive speed  
12 management program, advertising electronic  
13 enforcement and changing the character of the roads.

14           So I'm going to summarize in this  
15 chart here -- another bit of a busy chart. But what  
16 this summarizes -- and, in fact, you don't need to  
17 read all of that because it is in -- in your -- in  
18 your paper. But really what we're talking about, and  
19 I can even summarize this up, is we want to see five  
20 (5) star drivers and road users, people who are  
21 attentive, buckle up, well trained, paying attention,  
22 sober.

23           We want to see those people driving  
24 five (5) star vehicles, and that's a five (5)  
25 starred, good practice, good safety features in cars;

1 driving at five (5) star speeds, that means speeds  
2 appropriate to conditions; on five (5) star roads  
3 that have predictable and forgiving roadsides.

4                   But what goes along with this road Sa  
5 -- Safe System Approach is how do we manage road  
6 safety capacity? What are the things that we need to  
7 do to allow the Safe System Approach to be developed?  
8 And this is what we call and where we look at  
9 institutional mana -- management functions. What do  
10 we have in place in our organizations to actually  
11 address this Safe System Approach? And that is what  
12 I'm going to talk about next for about five (5) more  
13 minutes.

14                   This chart, I -- I agree, was not in  
15 your written document, but it is in the documents  
16 that I referred to in my document. But what I just  
17 wanted to alert you to is this triangle of effort.  
18 And if at the top of this triangle we have the  
19 results focus -- because ultimately where we want to  
20 go is a focus on results.

21                   We just don't want to do things. We  
22 don't want to do a lot of everything and not know how  
23 much -- what, the outcomes have been. So at the very  
24 peak of the triangle we want to result -- focus on  
25 results.

1                   At the very bottom, before we even get  
2 there, is that we need to have some sort of a lead  
3 agency who's going to be responsible for and  
4 accountable for the results of those programs.  
5 Nobody -- the lead agency isn't the only -- the  
6 person who does everything. They're just the people  
7 who ensure that all their partners, in a  
8 collaborative and cooperative fashion, work together  
9 to meet these results. The targets aren't handed  
10 down to them from on high. The group together  
11 determines what its goal should be.

12                   But what we're talking about in these  
13 smaller items here, which I call institutional  
14 management functions, we have things like  
15 coordination in management, legislation, funding and  
16 resourcing. And I'm not just talking about the --  
17 the funding money, but resourcing bodies. We need to  
18 have dedicated resources to road safety. We talk  
19 about promotion, monitoring and evaluation, and  
20 research and development.

21                   So ba -- on these -- based on these  
22 institutional management functions, in the middle we  
23 have the interventions. Those are the things that we  
24 are actually going to do that are the components of  
25 the Safe System Approach. And how we measure them

1 are those things in the top end of the -- of the  
2 triangle.

3                   And what we have there are things like  
4 measuring outputs; a very, very important thing to  
5 do, but we can always measure outputs. We know what  
6 we did. But what the ultimate \$6 million question  
7 is: How did those outputs realize some effective  
8 outcomes? And that's what's important. We need to  
9 measure outcomes.

10                   In between, we have intermediate  
11 measures because we need to count things that are  
12 going to help guide us in the direction that we want  
13 to go.

14                   I just want to talk about this small  
15 chart about coordination and management. As I  
16 mentioned, no one (1) single agency has either the  
17 knowledge, the skills, or the expertise to actually  
18 be able to manage road safety. And that, in itself,  
19 is why road safety doesn't always get paid the  
20 attention that it needs, because nobody is prepared  
21 to step up to the plate and actually make sure that  
22 it gets done.

23                   The police recognize that they have a  
24 role to play, the engineers have a -- a role to play,  
25 health promotion people have a role to play, but they

1 really don't see it as their role to make sure that  
2 everything is working together. But, ultimately,  
3 somebody has to do it.

4 MR. REGIS GOSSELIN: Ms. Johnson,  
5 just -- just on this issue of the lead agency, in the  
6 case of Alberta and BC, who is -- which one -- which  
7 organization is the lead agency?

8 MS. MAVIS JOHNSON: Who's the lead  
9 agency? In Alberta, Alberta Transportation is the  
10 lead agency. They organized an Office of Traffic  
11 Safety which is within the Ministry of -- of  
12 Transportation.

13 In BC, that has moved around. In the  
14 '90s ICBC was the lead agency. Now, the Ministry --  
15 well, the Office of the Superintendent within the  
16 Ministry of Justice is the lead agency. And it  
17 differs across the province -- across the country.  
18 Thank you.

19 But what is important on this  
20 coordinating and management is that we have sort of  
21 two (2) -- two (2) levels of -- of management, if you  
22 like. In the blue -- whatever colour it shows up on  
23 the screen there. Perhaps a light bluey-green  
24 colour, we have an intermeri -- ministerial council.  
25 As I mentioned when I was talking about international

1 good practice, high level governance within whatever  
2 level of government we're in -- this case, the  
3 province -- it's really important that the highest  
4 level of government, they support and see the keen  
5 benefit in having effective road safety police.

6           And then we need people who are  
7 actually going to do the work. We need operational  
8 people who work within something like a -- like a  
9 Committee for Traffic Safety. So the -- the people  
10 would come to the table that are identified, and this  
11 is only a suggestion around -- around the table that  
12 would come together to form a committee on traffic  
13 safety.

14           As I was mentioning when we're talking  
15 about getting this focus on results, we really need  
16 to be talking about these things. And I'm going to  
17 talk about them separately right now. We need to  
18 have a vision and -- and some targets. The vision  
19 needs to be a vision of where we see us being. Many  
20 -- many -- in fact, Canada has -- wants to have the  
21 safest roads in the world. Everybody wants to have  
22 the safest roads in the world, but other people have  
23 other visions.

24           And, in fact, in Sweden the vision  
25 there is that no one will be killed on the highways



1 as a result of a motor vehicle collision. And in  
2 fact that is what some of the developing countries  
3 are moving to because accepting any number of  
4 fatalities is unacceptable. We shouldn't say, Oh,  
5 well, we're -- we'll be satisfied if we can reduce  
6 the fatality rate by twenty (20). So are we happy  
7 that all those other people died? So we need a  
8 vision and everybody needs to -- to buy into the  
9 vision.

10                   And then we need to set some targets.  
11 There were targets in the Road Safety -- Road Safety  
12 Vision 2010 across Canada. Most of the jurisdictions  
13 felt that they were put down from on a high and --  
14 and really didn't like them. And -- and, in fact,  
15 none of the provinces and territories met any of the  
16 targets. Canada didn't -- didn't meet its target for  
17 Road Safety Vision 2010. And so for 2015 there is no  
18 specific numeric target in Road Safety 2015.

19                   However, there is an expectation that  
20 provinces and territories will set numeric targets  
21 about -- based on what's realistic in their province  
22 or territory. What types of issues do you want to  
23 address? How much resources they can bring to them.  
24 So the -- there will be numeric targets set but  
25 they're based on each of the provinces' and

1 territories' needs.

2                   But without targets I just don't know  
3 how you can know where you want to go. What is the  
4 ultimate success? How would you describe success in  
5 five (5) or ten (10) years if you haven't measured  
6 anything?

7

8 CONTINUED BY MR. BYRON WILLIAMS:

9                   MR. BYRON WILLIAMS: Can -- can I  
10 stop you there for one (1) moment?

11                   Within ICBC, with -- within that  
12 organization per se, would -- would it have set  
13 targets for itself in terms of road safety outcomes?

14                   MS. MAVIS JOHNSON: Yes, it did, but  
15 they were set at the program level. They were never  
16 rolled up into a provin -- or an ICBC, because they  
17 were actually rolled up into a provincial target,  
18 which was the Road Safety Vision 2010 target.

19                   But within the enforcement components  
20 of road safety strategic initiatives, and within the  
21 road infrastructure components of the road  
22 improvement program, and in occupant restraints, and  
23 in auto crime, each of the program level set numeric  
24 targets for where they want -- wanted to be, and they  
25 were actually part of your own personal performance

1 plan that you met those targets.

2 MR. BYRON WILLIAMS: Just while we're  
3 on ICBC, and perhaps you might come to it later, but  
4 in terms of reviewing portfolios, can you tell me  
5 what, if anything, ICBC did in terms of a -- a zero-  
6 based budgeting approach?

7 MS. MAVIS JOHNSON: Yes. Over the  
8 years we have done -- we have done zero-based  
9 budgeting. I think zero-based budgeting does have a  
10 role in allowing you the flexibility to really start  
11 with a blank sheet, look at what you did and what you  
12 accomplished in the previous year, and what you could  
13 possibly accomplish in the year to come, based --  
14 things change in provinces. Governments change and  
15 government priorities change.

16 So I think it's very, very important  
17 that you deal with the cards you're -- you're given.  
18 If the -- the government takes away electronic  
19 enforcement for speed, then obviously we have to  
20 think clearly about, Well, how are we going to make  
21 our big reductions in speed -- speed fatalities if we  
22 can't count on an electronic speed enforcement. So  
23 it gives you the ability to be able to more clearly  
24 address what needs to be done.

25 And it's -- it's really looking at

1 evidence-based. We very much based most of the  
2 things we did on evidence from other countries,  
3 looking at how that then impacts on -- on our own.  
4 And one (1) of the reasons that I've taken a  
5 particular interest in Australia and New Zealand, is  
6 first of all they are very good in road safety at  
7 what they do. They have an insurance company similar  
8 to ICBC and MPI and others. And the population and  
9 size of -- of the State of Victoria is -- is somewhat  
10 like BC. And the size of Australia is somewhat like  
11 Canada. So I have -- there are things that happen  
12 there that can be replicated quite easily here.

13 MR. BYRON WILLIAMS: Sorry for  
14 interrupting. Please proceed.

15 MS. MAVIS JOHNSON: Okay. When we  
16 look at results focus we should be looking at the  
17 collision data. And we should also remember that  
18 collision data -- or data is available from other  
19 sources. Not all the collisions that occur in  
20 Manitoba get reported in these documents. We have  
21 coroner's data that talks about fatalities. We have  
22 police data that talks about violations -- viol --  
23 violation reports so that we know what are the  
24 important things people are getting ticketed for. We  
25 have highways data. The Ministry of Highways keeps

1 data on its highways through asset management and  
2 things like that.

3                   And a very key important piece of data  
4 that's often omitted is hospital data. There's often  
5 very little followup when a person is seriously  
6 hospitalized as a result of a crash. And it's really  
7 important to bring -- build all that hospital data  
8 into a comprehensive collision database.

9                   It's preferred to have one (1) source  
10 of data so that everybody can agree on what is the  
11 source their going to ma -- who's going to be the  
12 spokesperson. It wasn't uncommon a few years ago in  
13 BC for the RCMP to be quoting some numbers about  
14 fatalities, and ICBC to be quoting other numbers  
15 about fatalities, and the coroner's office to be  
16 speaking other numbers about fatalities.

17                   So, in fact, it took us almost two (2)  
18 years to actually agree upon what was going to be  
19 classed as a fatality, who was going to report it,  
20 and how it was going to be counted and monitored. So  
21 we just shouldn't accept that this is -- this is all  
22 there is.

23                   MR. BYRON WILLIAMS: Ms. Johnson,  
24 could I interrupt you for one (1) minute.

25                   Madam Chair, we're actually making

1 much better time than we did in our practice last  
2 night, but I'm just mindful of the fact that -- that  
3 the Board's been sitting and legal counsel's been  
4 sitting for an hour and a half, and we don't want to  
5 -- I was just going to suggest maybe a seven (7)  
6 minute or something like that will allow Ms. Johnson  
7 to refresh her water, and other relief may be sought  
8 by certain persons.

9 THE CHAIRPERSON: Okay. Thank you  
10 very much. We'll do that seven (7) minute break for  
11 now.

12

13 --- Upon recessing at 1:54 p.m.

14 --- Upon resuming at 2:07 p.m.

15

16 THE CHAIRPERSON: Okay. Thank you  
17 very much. Our seven (7) minutes stretched a little  
18 long, but we would like you to continue with your  
19 direct, Mr. Williams.

20

21 CONTINUED BY MR. BYRON WILLIAMS:

22 MR. BYRON WILLIAMS: Please proceed,  
23 Ms. Johnson.

24 MS. MAVIS JOHNSON: Thank you. We're  
25 just going to stay on the issue of collision data in

1 a -- for a moment because what I'd like just to spend  
2 a minute on is about the importance of analyzing the  
3 data we have.

4                   And it's just not good enough to look  
5 at a chart and say, Oh, yeah, I can see clearly that  
6 impaired driving is a big issue. We need to drill a  
7 lot deeper into who's -- who's causing the impaired  
8 driving crashes, where are they taking place, when  
9 are they taking place. So we really need to have  
10 real delving analyses of what it is that we're trying  
11 to -- what are the issue, and then how are we going  
12 to solve them.

13                   A foundation of all the road safety  
14 programs, whether you have a financial interest or  
15 not, should be based on a cost-benefit analysis.  
16 Wherever you work these days, you -- your life is  
17 governed by budgets, and everybody only has so much  
18 money to spend on so many programs.

19                   And so what is really key are  
20 undertaking cost-benefit analyses. And it is never  
21 more important than in an auto insurance, public  
22 insurance company, that we really need to be doing  
23 cost -- solid cost-benefit analyses to -- to show  
24 people how we're -- how we're investing their money.

25                   I talk here, the second bullet from

1 the end, on safety performance functions. And -- and  
2 that might be just something new, but what that talks  
3 to is that -- the ability to analyze priorities,  
4 particularly in urban locations.

5                   Obviously, collisions that -- that  
6 occur on streets that carry a lot of traffic are  
7 going to have more crashes. And so -- but that might  
8 not be where the worst problems are. And so to help  
9 identify those, we can look at speeds, average speeds  
10 along roads, traffic volumes, turning movements, and  
11 the number of crashes that occur there. So it's --  
12 it's just not enough to look at the number of  
13 crashes, but how does that location -- how is it any  
14 worse than this location based on all the other  
15 components that need to be analyzed.

16                   The cost of crashes again is related  
17 to this whole idea of benefit-cost analysis. And  
18 there are many, many social -- many, many dollars  
19 that are associated with the cost of collisions. And  
20 in fact there was a study done in Ontario a few years  
21 ago that identified that the average fatal traffic  
22 collision was actually a total of \$12 million.

23                   Now, most provinces haven't subscribed  
24 to that because they all think it's pretty much too  
25 high. But I think even in the Province of Alberta,



1 they look at perhaps 4.5 million or \$5 million per  
2 fatal road crash.

3 ICBC has its own set of cost factors  
4 that they use in their collision reduction programs,  
5 and I included that as -- as an appendix in -- in my  
6 report. But when ICBC is doing its cost-benefit  
7 analysis, it uses its own costs, even if it's  
8 partnership with -- with the BC Ministry of  
9 Transportation. If ICBC is -- is investing a hundred  
10 thousand dollars (\$100,000) into a particular  
11 project, then that's what it's going to be measured  
12 against, not whatever contribution the ministry  
13 makes.

14 So it is clear that MPI should, first  
15 of all, determine its costs for a fatality, injury,  
16 and property damage so that when it's doing cost-  
17 benefit analysis, it can clearly see what it is that  
18 they're trying to save.

19 When we talk about performance  
20 indicators, we talk about all of the things that are  
21 on these slides, the outcome measures. The outcomes  
22 are really the most significant thing of what we need  
23 to -- we need to know about.

24 The outputs are indicators that the  
25 project was successfully implemented. But what that

1 may not tell us is was there a change in behaviour  
2 the resulted from, whether it's mall display or TV ad  
3 or a billboard, bus back, that might be an indicator  
4 that people saw it, people could remember the  
5 message. But ultimately what we want -- we want to  
6 know is did they change their behaviour, because  
7 that's really what we're trying to do.

8                   So out -- output's a very -- a very  
9 good indicator of the direction in which the  
10 program's going, but really we should make sure that  
11 we collect outcomes. And for campaigns, that is  
12 usually clearly identified through before-and-after  
13 studies, that we actually do a study of the behaviour  
14 that's -- that's being targeted in the campaign.

15                   When we talk about identifying road  
16 user risk, again, this is another way to identify, if  
17 we're going to do a particular program, who is going  
18 to be our target audience, which groups are most at  
19 risk of that behaviour. There's a lot to -- talked  
20 about right now about texting, distracted driving.  
21 So obviously we -- we're wanting to look for a method  
22 that's going to apply mainly to young people, but not  
23 to the extent that it doesn't also impact on many  
24 others.

25                   When we talk about these institutional

1 management functions, I'm just going to run through a  
2 few of -- of these components that are essential.  
3 And the first one (1) is legislation. And I  
4 mentioned the importance of having an effective  
5 legislative framework about a half an hour ago. But  
6 what's key on this slide is about the efficient  
7 judicial system.

8                   The main reason that we want a good,  
9 efficient judicial system is to keep the police  
10 motivated. The police enforce criminal car --  
11 Criminal Code charges for impaired driving. So many  
12 judges just toss them out. So the police say: Well,  
13 I give up. We're trying to take these drunks off the  
14 road, and -- and you're just giving them a light  
15 fine.

16                   So it's really important that the  
17 judges understand the severity of the consequences of  
18 drink-driving behaviour. And I'm just using that as  
19 an example.

20                   MR. BYRON WILLIAMS: Just to stop you  
21 there, can you describe what, if anything, ICBC would  
22 do in terms of interaction with Crown attorneys?

23                   MS. MAVIS JOHNSON: Yes. There were  
24 programs at -- with traffic court judges and with  
25 Crown attorneys to try and help them understand the

1 severity of the -- of this -- of the consequences of  
2 -- of an impaired driving charge and what that could  
3 have led to.

4                   These have been done in short seminars  
5 to -- just to help them understand, and not -- not  
6 only impaired driving. We had ones for commercial  
7 vehicle trucks whose loads were unsecure or the  
8 vehicles were in poor condition. And we tried to  
9 help the traffic court judges understand the  
10 potential consequences of allowing that type of  
11 behaviour on the road.

12                   But is -- there is no doubt there's a  
13 relationship between the police feeling that their --  
14 their work is wasted and useless because judges don't  
15 pay as much attention to their topics as -- as they  
16 should.

17                   When I talk about promotion, I'm  
18 really talking about propaganda. Now, this isn't to  
19 be confused with campaigns or media advertising. But  
20 it is important to -- to -- for people to know what  
21 MPI is doing, what the Government of Manitoba is  
22 doing in road safety, because it is an important  
23 public issue.

24                   When we talk about funding and  
25 resources, I mentioned that it's not only funding of

1 the budget, monetary funding, but also what's  
2 important to human resources. We need to ensure that  
3 there are adequate resources dedicated to working in  
4 road safety.

5                   Road safety is not something that you  
6 can do off the corner of your desk amongst all the  
7 other things that you do. And -- and so many  
8 agencies across the country still are dealing with  
9 road safety just as a sort of add-on to their job on  
10 the side of the desk and consequently not having its  
11 -- its due course -- due attention.

12                   The only way we can stay on track is  
13 by consistent monitoring and evaluation. We need to  
14 be keeping an eye on what's going on with our  
15 programs to make sure that we're still on target,  
16 that if there are any reasons why the -- the target  
17 is -- is slow, or late, or delayed, things happen.

18                   But if you can explain why there's an  
19 issue and why there was a delay it helps them wait  
20 until the end of a year-long campaign and then said,  
21 Well, back in March such a thing happened and -- and  
22 the project fell off the rails. Ongoing monitoring  
23 and evaluation is very important.

24                   And -- and as a support for the  
25 importance of monitoring, the office of traffic

1 safety in Alberta have developed an electronic system  
2 -- an electronic support system, and it takes the two  
3 hundred (200) act -- actions in the operations plan  
4 for the Alberta Traffic Safety Plan and it has them  
5 recorded on this electronic system. And every two  
6 (2) months the prog -- the program manager or the  
7 person responsible for that program has to input the  
8 progress they've made on this particular topic.

9           And it's okay to say, Well, we  
10 couldn't make any progress because such a body was  
11 deliberating on something new. So it's okay to  
12 report why there's a delay, but -- so that you  
13 understand why at -- at the end of the year there  
14 might be a delay. So this has really become a very  
15 efficient way for overseeing the progress and the  
16 monitoring of the Alberta Traffic Safety Plan.

17           And we need to always be doing  
18 research and development. At ICBC when the Road  
19 Safety Strategic Initiatives Group was formed in  
20 1995, its role was really to become to knowledge base  
21 for a particular topic -- on a particular topic  
22 within British Columbia, not just within ICBC. And  
23 so we were all challenged to find out, and research,  
24 and stay on top of what was international good  
25 practice in all these different areas.

1                   And as I say, we -- there's -- there's  
2 tonnes of information out there. There are many  
3 universities working on research projects that are  
4 related to road safety. And I would commend the  
5 University of Manitoba here who have an engineering  
6 transportation group who are doing a lot of road  
7 safety research in different areas, and that they  
8 could really be a key asset to being the research and  
9 development arm for this -- for this province.

10                   People age and move on. And, you  
11 know, many -- many people retire. The police are  
12 talking about the fact that, you know, they've got a  
13 group of police officers that are all -- all going to  
14 retire at once. We've got people working in  
15 engineering and people are going to retire. We've  
16 got groups of people in the insurance industry who,  
17 as we all do, come to the age where we have to move  
18 on. And I think what it's very, very important is  
19 that that knowledge or intellectual property gets  
20 transferred and -- and passed on into the company.  
21 And that's something that we don't do very well  
22 either across Canada, that we really need to take  
23 every opportunity we can to help people understand  
24 the work that we do and -- and pass that on.

25                   And nowhere in Canada can you go to

1 take a course -- a degree in road safety. You can go  
2 and take a degree in transportation, in public health  
3 as it relates to injury prevention, but you can't  
4 take a course in road safety studies. You can take a  
5 course in road safety studies. I'm sorry. You can  
6 take a course in road safety studies, but you can't -  
7 - there isn't a full-blown faculty that's dedicated  
8 to nothing else.

9           And then we get to the interventions  
10 and we're going to talk about this safe and reliable  
11 road safety network. And we need that whether it's a  
12 municipality, whether it's the highway that runs  
13 through a small municipality, we need to ensure that  
14 we have consistent practices, we have a uniform  
15 traffic code across Canada.

16           But we can still see different  
17 practices as we drive between the provinces and we're  
18 still -- when we drive between different towns in the  
19 same province we see different signing practices,  
20 different road marking practices. And we shouldn't  
21 because the primary thing about human behaviour is  
22 that everything is supposed to be consistent. We're  
23 supposed to expect to see the same things in the same  
24 type of environment. So this is very, very  
25 important.



1                   Some of the -- as well as just fixing  
2 and improving roads, there are many things that we  
3 can do in the road network when it talks about how  
4 safety can be improved in the road network. And  
5 again, not just building bridges or intersections.  
6 There's a process called road safety audits, and how  
7 do you build safety into the planning process.

8                   Until -- well, there are still  
9 planners. Planners are people who plan our  
10 communities, who don't know anything about safety  
11 because that's -- they -- that's not their job;  
12 engineers look after safety. But there are things,  
13 decisions that planners can make that have  
14 consequences on safety.

15                   Often schools are built on new  
16 property because it's cheap there, the land's is  
17 cheap there. But all the children that are going to  
18 go to that school live across a busy highway. So the  
19 first question then is asked: Well, can we have an  
20 overpass to get our children to the school? Well, if  
21 that school had been built somewhere else that --  
22 those questions wouldn't have been needed to be  
23 asked.

24                   We can do black -- black spots and  
25 network screening. That means we can -- we can look

1 at high-crash locations and have a look specifically  
2 what issues there are. We can design/re-design  
3 intersections and -- and to improvement to  
4 roundabouts. We can do roadside hazard management so  
5 that we can eliminate some of those roadside hazards.  
6 And we can introduce speed reduction measures such as  
7 traffic calming.

8                   And I know that the City of Winnipeg  
9 and the Ministry of In -- Infrastructure and  
10 Transportation here do an assortment of all those  
11 things, but do they do enough? Perhaps they do the  
12 best they can do with the budget that's available.

13                   MR. BYRON WILLIAMS: Just to  
14 interrupt you there for a moment. Again, recognizing  
15 let's assume we have a -- a jurisdiction in which the  
16 public auto insurer has been forbidden from investing  
17 directing in infrastructure improvements.

18                   Is there still a role in terms of  
19 interventions in the road network for such a monopoly  
20 insurer?

21                   MS. MAVIS JOHNSON: Well, absolutely.  
22 I mean, I -- I talked about the basic information of  
23 providing collision -- collision data, collision  
24 information, claims information. But in fact, the  
25 whole idea of safety reviews means that a location is

1 reviewed purely from its safety perspective.

2                   As I mentioned before, much of the  
3 business of mun -- municipal engineers is about  
4 mobility and capacity: how much -- how many vehicles  
5 can they get through the intersection. But what has  
6 become a prominent activity in the last fifteen (15)  
7 to twenty (20) years is the whole issue of road  
8 safety audits. That is a process of reviewing a road  
9 or a facility before it actually opens.

10                   And so people who are trained as road  
11 safety auditors actually look at the plans that are -  
12 - the plans before there's even a -- any digging gone  
13 into building this new road or new facility; that  
14 they can look on these plans and point out some  
15 safety features that are either going to be a cause  
16 for concern or a sign that perhaps should be moved so  
17 it's -- it's more appropriate and -- and better seen  
18 in time.

19                   So this road safety audit concept has  
20 been introduced into Canada, and again, this was  
21 another initiative that was introduced through ICBC.  
22 It's a small amount of money to do a road safety  
23 audit. They spend millions on building new roads and  
24 overpasses and interchanges. A road safety audit  
25 costs a few thousand dollars.

1                   And so the safety is -- actually the  
2 safety issues are being picked up before the road  
3 actually opens, and it's cheaper to fix it then  
4 because all they're doing is changing a map or a -- a  
5 chart, than it is trying to fix it after. Which  
6 relates back to my example of the school being built  
7 on an opposite side of the road from where all the  
8 children live. So now they want \$2.5 million to  
9 build an overpass to get to the school, whereas the -  
10 - those issues should have been addressed before the  
11 road or facility was even allowed to be built.

12                   There's no reason that -- in the long  
13 run it's the insurance company, the auto insurance  
14 company, that's going to pay for the claims that  
15 result from crashes at those locations. And so, yes,  
16 I think the insurance industry, if it's an auto  
17 insurance indu -- company does have a role to play in  
18 assisting in those small investment costs that have  
19 the potential to have bigger safety consequences.

20                   MR. BYRON WILLIAMS:    Thank you.

21                   MS. MAVIS JOHNSON:    When we talk  
22 about safer vehicles, you probably are aware all  
23 yourselves, if you've bought a vehicle recently, that  
24 it has a lot more safety gizmos and bells and  
25 whistles than anything you had ten (10) or fifteen

1 (15) years ago. And the inclusion of safety features  
2 in vehicles has probably been one (1) of the most  
3 significant contributors to road safety in the last  
4 five (5) to ten (10) years.

5                   And one (1) of the pieces of -- of --  
6 one (1) of the safety features is this whole thing  
7 called electronic stability control. It's predicted  
8 the vehicles with electronic stability control will  
9 save more lives than seatbelts have ever saved  
10 because it's going to prevent the -- the vehicle and  
11 the occupants from driving off the road in the first  
12 place.

13                   Now, you might say, Well, what's --  
14 what's that got to do with an insurance company?  
15 Well, if we can encourage people to keep their  
16 vehicles somewhat modern, have a fleet that is  
17 perhaps ten (10) to twelve (12) years old so that  
18 you've got the most recent safety features, then it's  
19 more likely that the -- the consequences -- consequences  
20 of any crashes might be less.

21                   Also, as an insurance company, auto  
22 insurance company, we might encourage drivers to buy  
23 say vehicles with safer features. A few years ago it  
24 used to be Volvo, Mercedes, Saab, and all those  
25 other, you know, expensive European vehicles were the

1 only ones that had these safety features in them. So  
2 if you wanted the safety features, it was like  
3 optional extras.

4 But, in fact, now Kia, Honda, Hyundai,  
5 even these more ordinary level type cars are fitted  
6 with these safety features. And so I think -- in  
7 fact, ICBC used to have a brochure online called  
8 'Buying a Safer Vehicle', and it talked about which  
9 vehicles had the five (5) star rating from the  
10 Insurance Institute For Highway Safety, because  
11 people have now started to take safety into a  
12 consideration when they are buying a new vehicle.

13 But safety features are very important  
14 in vehicles, and that is going to give us even better  
15 safety benefits in the future. Volvo have a vision  
16 that by 2020, no one will be injured as a result of a  
17 collision -- sorry, no one will be killed as -- in a  
18 collision in -- as an occupant of a Volvo car. And  
19 they're -- they're spending millions making their  
20 vehicles the -- the safest in the world.

21 What goes with safer vehicle is a  
22 vehicle safety device, such as seatbelts and child  
23 seats. And, in fact, I mentioned earlier that  
24 although we have reported a reasonably high seatbelt-  
25 wearing rate, that people who are still killed in

1 traffic crashes who aren't buckled up is still quite  
2 high.

3                   The government -- the Saskatchewan  
4 Government Insurance just did study of their Child  
5 Passenger Safety Program. It was an independent  
6 survey, and it was able to assess the actual benefit  
7 of doing that program. And I think that was a very  
8 good feature because many, many of the provinces and  
9 territories undertake these clinics, child safety  
10 clinics, and this was the first time that somebody  
11 had ever been able to quantify the benefits of having  
12 them. And so those sorts of things are very useful  
13 when we are then trying to do a benefit-cost  
14 analysis.

15                   I'll just touch a little bit on road  
16 users. And -- and again, we need to have rigorous  
17 screening for all the drivers on our road. And we  
18 include they're not only our learners and novice  
19 drivers, but people who are new Canadians. New  
20 Canadians need to know the rules of our road. How do  
21 we deal with them? How do we assess their competency  
22 to drive here.

23                   Then we have high-risk drivers. How  
24 do we manage and monitor high-risk drivers. And then  
25 this whole issue of medically at risk drivers. At

1 what stage does -- do people need to be surrendering  
2 their licences because they're unsafe to themselves  
3 and to others on the road?

4                   Often, emergency assistance doesn't  
5 get included in road safety plans. It gets left out  
6 because everybody thinks they have adequate emergency  
7 services on their roads. But, in fact, even in the  
8 rural areas of most of our provinces, the -- there --  
9 there is room for improvement in how quickly injured  
10 people can be assisted as a result of traffic  
11 crashes.

12                   And there have been some trauma  
13 surgeons in Alberta and in BC that have spoken --  
14 been very vocal about the importance of providing  
15 more funding. And, you know, one (1) of the things  
16 about -- the Ministry of Health is always talking  
17 about they don't have enough money for hospitals, for  
18 health care.

19                   But, you know, lots of people who are  
20 occupying beds in hospitals are there because they  
21 were in traffic crashes. So saving people from being  
22 injured in traffic crashes frees up the money in the  
23 health system so that they can be provided with  
24 better and more efficient emergency medical services.

25                   Police enforcement resources have been



1 reduced in all our provinces and territories. The  
2 RCMP made a significant reduction to all of their  
3 traffic units across the country. And so it's --  
4 it's again another reminder that the few precious  
5 resources that we do have from enforcement need to be  
6 used in the most effective way.

7                   So it's not good enough anymore for a  
8 police officer just to go and -- for their ten (10)  
9 hour shift and think, Oh, well, what shall I do  
10 today? But they should have like almost a -- an  
11 action list of things they -- important priorities  
12 they need to focus on. And from our perspective in  
13 road safety, we would want to hope that they're going  
14 to be focussing on behaviours that are going to re --  
15 might result in traffic crashes.

16                   And so, again, it's a minimal resource  
17 compared with what we used to have, and we have to  
18 use it in the most efficient way that we can.

19                   I very much like the idea of funding  
20 enhanced road enforcement, traffic enforcement,  
21 because often in the early days, when we want the  
22 police to be doing enforcement, particularly on an  
23 impaired driving, we want them out at night time, we  
24 want them out on holiday weekends. And that's when  
25 the -- the police were taking the time off. So

1 enhanced enforcement allowed us to be able to provide  
2 enforcement when it was most needed.

3           And another way that this has been  
4 alleviated in BC is through the development of what  
5 are called integrated road safety units. And these  
6 particularly are helpful in places where there are  
7 multiple police agencies.

8           In -- in Greater Victoria in British  
9 Columbia, there are five (5) police agencies,  
10 including the RCMP. Some of them don't have any  
11 dedicated traffic resources. Some have -- some have  
12 only one (1); some have two (2). So trying to do  
13 traffic enforcement within their own small  
14 municipality is very, very challenging and -- and  
15 really not very effective.

16           But by combining the resources and  
17 these five (5) or six (6) people going to focus on  
18 high-collision locations where people are  
19 demonstrating high-risk behaviours, they can be a lot  
20 more effective on a regional basis. And so that's  
21 another way. We have to find smarter ways of viewing  
22 -- using the resources we have.

23           And again, I recognize this isn't  
24 MPI's responsibility. But MPI is ultimately  
25 responsible for the consequences of all that goes

1 wrong on the road. And so we want -- we would hope  
2 that they would be a voice for them to become more  
3 organized, and it's how we provide leadership, how we  
4 help them focus on where they need to go.

5                   When we're talking about road safety  
6 education, this is what I'm talking about: life-long  
7 learning. And it takes a long time -- in fact, it  
8 takes a generation -- to change road-user culture.  
9 So if we don't start with the children, it is really  
10 not much point in trying to take a fifteen (15) or  
11 sixteen (16) old teenager with attitude and try and  
12 make them into a healthy, responsible driver.

13                   The -- these attitudes and behaviours  
14 are learned at a very early age. And I know that MPI  
15 has, I believe, the Child Safety Club, which was  
16 founded on a very solid program, that is a very  
17 worthwhile program to try and -- and engage young  
18 people in road safety and their attitudes to  
19 responsibility.

20                   And they, in turn, become influencers  
21 of parents. And there are many examples of where  
22 children have been used as influencers of the  
23 parents: children who have been brought up about  
24 buckling up and remind parents, you know, Daddy, you  
25 don't have your seatbelt on; Mommy, you don't have

1 your seatbelt on.

2                   And we also have them in schools where  
3 children make decals for the -- the dashboard that  
4 say, "Think of me," and it's a picture of -- a drawn  
5 picture of their child to remind them to slow down,  
6 especially around schools. We now have them in work  
7 zones in BC where we have signs that say, "Slow down,  
8 my daddy works here," or, "My mommy works here."

9                   So there's a great need and importance  
10 for children's education, because you can't just make  
11 them into super-responsible adults when they come to  
12 be able to drive at sixteen (16).

13                   I'm happy to see that MPI liases with  
14 the police for its traffic safety calendar, for the  
15 enforcement calendar. And I -- I would hope that  
16 there's some sort of monitoring and evaluation  
17 process to ensure that the police are sticking to the  
18 -- the programs that are the feature of the education  
19 at the time. I think it's also important for us to  
20 look at social media for young -- young drivers, if  
21 we want to address young drivers.

22                   We mustn't forget this importance of  
23 if the seat -- if the campaign is about seatbelt use,  
24 then that's what the police have to be focussing on  
25 at the time.

1                   And the other key thing about road  
2 safety campaigns is that the message is heard the  
3 same way across the province. This is very, very  
4 important. I remember when I first started my work  
5 in the City of Edmonton to develop their traffic  
6 safety plan, in one (1) day in downtown Edmonton  
7 three (3) different busses passed me with three (3)  
8 different road safety messages on their bus tail. So  
9 there's three (3) conflicting messages, where one (1)  
10 from transportation, one (1) from the Edmonton Police  
11 Service, and one (1) from the -- from Health --  
12 healthcare, it's called CRISP.

13                   And so all three (3) different --  
14 absolutely different messages about road safety. We  
15 have to get the best bang for our buck. Everybody  
16 has to be singing on the same hymn sheet. We've got  
17 to be working on the same things, same topic.

18                   MR. BYRON WILLIAMS: I'm going to  
19 interrupt you here for just one (1) second. There is  
20 one (1) exhibit from the record that we did want --  
21 Ms. Johnson will want to refer to in just a few pages  
22 and that is Undertaking 13, MPI Exhibit 16. And I  
23 think Ms. Menzies distributed it in the room. Mr.  
24 Singh has -- has it to distribute.

25                   MS. MAVIS JOHNSON: I'm just not

1 there yet, but I will be.

2 MR. BYRON WILLIAMS: We're not quite  
3 there.

4 MS. MAVIS JOHNSON: Yeah.

5 MR. BYRON WILLIAMS: But we're  
6 getting close.

7 MS. MAVIS JOHNSON: So I -- I thank  
8 you for your patience as we've gone through this  
9 myriad amount of information about how complex and  
10 detailed the business of road safety is, but I really  
11 feel in that in the interest of better decision-  
12 making, this information has been very useful.

13 So now what I'm going to move to is  
14 the role of auto insurances -- insurance companies in  
15 road safety. And in my opinion it's a very simple  
16 equation: fewer collisions lead to fewer claims,  
17 which ultimately might lead to lower premiums, or in  
18 fact bonuses for policy holders.

19 That has happened in BC before, where  
20 some monies have been returned to policyholders  
21 because there were -- there were savings to be made.  
22 There was good collision reduction. The investments  
23 that were being met at ICBC were good, so we had a --  
24 a very healthy bottom line, and that money was repo -  
25 - returned to its policyholders.

1 In the Transport Association of Canada  
2 they also one (1) year had a -- a huge bonus and they  
3 reinvested \$100 million into road improvements across  
4 the province, across the State of -- of Victoria.

5 MR. BYRON WILLIAMS: Just to stop you  
6 there, I think you said Transport Mission of Canada.  
7 Did you mean to say --

8 MS. MAVIS JOHNSON: Oh, sorry,  
9 Transport Associat -- no, Transportation Ass --  
10 Transport Action Commission, TAC.

11 MR. BYRON WILLIAMS: Of where?

12 MS. MAVIS JOHNSON: Of the State of  
13 Victoria, the TAC in Victoria, sorry, not  
14 Transportation -- thank you. Late in the day. There  
15 have been -- there was a study...

16 I just wanted to make sure I've  
17 referred to it before I speak to it.

18

19 (BRIEF PAUSE)

20

21 MS. MAVIS JOHNSON: No, I didn't  
22 reference it, so I won't tell you about it. I'm  
23 sorry about that. I'll just move on.

24 I'll just talk briefly, and I'm sure  
25 there are some people in this room who know as much

1 about what the other insurance companies are doing as  
2 I do. As I -- I mentioned in response to your  
3 question about who the lead agency was in BC, in the  
4 1990s ICBC was the lead agency. It now has moved  
5 into what's called the 'Safe System Approach', but I  
6 think that is a loose title for a -- a program that  
7 is seen to address safer vehicles, safer roads  
8 through infrastructure, and safer road users. But it  
9 certainly doesn't go to the depth of what the Safe  
10 System Approach was intended to do, which is talking  
11 about safer travel speeds and safer roadsides.

12 In Saskatchewan, a delegation of  
13 ministers just had a public consultation session  
14 around the province and returned and produced a  
15 report that has been referred over to SGI, which will  
16 probably make significant changes about the increase  
17 -- an increase in the programs that they're going to  
18 be managing. And again, this is senior government  
19 taking a keen interest in road safety, and now  
20 they're coming back and they're going to be -- well,  
21 certainly the recommendations in the report talk  
22 about the role for SGI in -- in these topics.

23 SAAQ has -- plays a very key role in  
24 advertising and -- and investing in enhanced  
25 enforcement, and they're very much modelled on that



1 project I mentioned earlier from France where they  
2 had huge savings in speed reduction through  
3 intersection -- through speed cameras and through  
4 advertising campaigns.

5 MR. BYRON WILLIAMS: I'm just going  
6 to stop you there for the court re -- reporter; when  
7 you said the word "SAAQ", would that be S-A-A-Q,  
8 referring to the insurer in Quebec?

9 MS. MAVIS JOHNSON: Yes. I already  
10 mentioned the TAC, the Transport Accident Commission,  
11 in the State of Victoria. They probably are the  
12 leading-edge auto insurance company in the world  
13 that's investing in road safety. It's -- it has key  
14 priorities. It works with all its other stakeholders  
15 to -- to develop a strategy -- state-wide strategy,  
16 for the -- for -- for Victoria.

17 It draws on all aspects of data, as I  
18 mentioned, so it looks to the police, it looks to  
19 insurance, it looks to enforcement and to the health  
20 community to determine what are the priority issues.  
21 And one (1) of the significant things that it does,  
22 too, is it learns a lot from other countries. It  
23 just doesn't continue to do the same thing again and  
24 again. It is always, consistently monitoring the --  
25 the outcomes of what it's doing.

1                   It spends millions in television  
2 advertising, and all the campaigns are always  
3 followed up with what was the change in the  
4 behaviour. There are solid before-and-after  
5 campaigns to show how the campaign influenced  
6 behaviour. The police are supportive of the campaign  
7 through its enforcement efforts.

8                   But they continue to monitor and  
9 refine the work that they do. They've been doing  
10 this now for twenty (20) years, and they have made a  
11 -- a significant difference and -- and helped the  
12 State of Victoria reduce their traffic fatality rate  
13 by 50 percent in the last ten (10) or fifteen (15)  
14 years. Incredible reductions.

15                   Again, it's just not them doing the  
16 advertising. It's the whole-party coordinated  
17 approach that's working.

18                   So I just want to spend a few minutes  
19 talking about the MPI programs. And I hope you will  
20 have seen the value in what we've done so far. And I  
21 also would like to recognize that there is a lot more  
22 knowledge about the MPI -- MPI programs in this room  
23 than mine.

24                   But from what I've reviewed on the  
25 website, talked to people, and looked at the program

1 components, read the information that was presented  
2 in the rate application, I can see that the current  
3 focus for MPI has been on these topics. And I would  
4 like to suggest that, again, there's nothing wrong  
5 with taking a looking at -- at what it -- what it is  
6 that you're doing, what is the focus of your work,  
7 because I'm wondering whether the -- these -- these  
8 programs shouldn't be tweaked a little bit to include  
9 young drivers and rural roads, mainly because young  
10 driver -- young drivers are of a specific road risk  
11 age group, and rural roads because that's where the  
12 major -- majority of fatalities take place.

13                   According to the -- the information in  
14 the rate application, this is the budget for road  
15 safety for 2011. And I think what I also read was --  
16 or 2012, that this is likely also to be the budget  
17 for '13/'14. And again, I see that a big amount of  
18 money is dedicated to driver education.

19                   Auto crime, I can understand over the  
20 past years that you have been trying to deal with  
21 this -- this very, very costly issue, but if the  
22 program is now in maintenance mode, I would perhaps  
23 question whether it's necessary to use all those  
24 funds in that area.

25                   And, particularly, I would suggest

1 that a review be made of the amount of dollars that  
2 are invested in Road Watch because there is no doubt  
3 that if Road Watch is -- is operating efficiently and  
4 effectively with the full cooperation from the  
5 enforcement community, and -- and full blown formal  
6 advertising that goes along with it, that perhaps  
7 more money invested in that area would have a better  
8 return on the investment.

9 MR. BYRON WILLIAMS: Can I stop you  
10 here for just one (1) more moment. Do you have any  
11 comment on the relative proportion of the budget that  
12 goes to advertising and sponsorship versus what goes  
13 to supporting enhanced enforcement?

14 MS. MAVIS JOHNSON: Well, other than  
15 the comment that I just made, that I think that that  
16 \$2.15 million is made up of a lot of little -- little  
17 amounts, but those little amounts add up to a lot of  
18 money eventually.

19 And even if \$1.5 million of that was -  
20 - was invested in Road Watch programs, as long as  
21 it's properly monitored and it's focussed and  
22 targeted, then there's no reason why that \$1.5  
23 million that might be invested in Road Watch would  
24 have a significant return on its investment through  
25 reduced collisions and claims costs. Does that

1 answer your question?

2 I just want to talk a little bit about  
3 high school driver ed, and nothing more than -- than  
4 really thi -- this one (1) page. We heard a lot  
5 about it yesterday. It does take up a lot of MPI's  
6 budget. We know that the program is available to all  
7 students and about twelve thousand (12,000) students  
8 a year take advantage of the course.

9 But I also noted from the traffic  
10 collision statistics report that there are about  
11 twenty-three thousand (23,000) licenced drivers who  
12 are 16 or 17 years of age. So that might suggest to  
13 me that not all new drivers are taking advantage of  
14 the high school driver ed program.

15 I also recognize that over the -- the  
16 last decade there have been numerous studies that  
17 have looked at the content of the program, and that  
18 was evidenced yesterday by the -- the chaps who were  
19 here to talk about that and -- and the effectiveness  
20 of high school driver ed in other places,  
21 particularly in the states.

22 What, though, I see somewhat missing  
23 is the whole idea of summative evaluation. And I  
24 guess the key question that remains unanswered for me  
25 is do those young people that have taken high school

1 driver education perform better, as in having fewer  
2 collisions and violations than those who haven't.

3           And since Manitoba has a very  
4 efficient way of monitoring new drivers through the  
5 graduated licensing program, I must -- I -- I'm  
6 amazed that there hasn't been a formal review to find  
7 out if those people who have been through high school  
8 driver ed are any better than those who haven't  
9 progressed through the graduated driver licensing  
10 program. And I -- I really believe that is something  
11 that we should pay attention to in finding out the --  
12 this key answer to this unanswered question.

13           I just want to talk a little bit about  
14 the Road Watch program. I understand that Road Watch  
15 is generically supposed to address the issues of  
16 occupant restraints, impaired driving, speeding, and  
17 distracted driving, but I also understand that  
18 because of the limited funds perhaps the funding has  
19 only been dedicated to impaired driving. I think if  
20 -- what MPI really needs to do is determine which of  
21 those behaviours is the most likely to benefit from  
22 enforcement and, subsequently, which one of those  
23 programs is more likely to have the greater  
24 opportunity to resulting crashes, because that would  
25 determine to me that it needs to be a priority.

1 I just -- as an aside, I'm not sure  
2 I'm allowed an aside, but it's just something that  
3 happened this week. Allstate Insurance did a study  
4 about distracted driving, and 97 percent of all  
5 people said that they thought it was terrible, a  
6 terrible thing that people drove while they were  
7 distracted. So people don't like other people doing  
8 it but 90 percent also admitted that they actually  
9 sometimes used the cellphone when they're in the car.

10 This is the dilemma when we're trying  
11 to do a program and you're trying to think what is it  
12 we're going to fix, we have a lot of public attitude  
13 to get through to get to them changing their  
14 behaviour. So I just thought that was an interesting  
15 statistic.

16 And -- and also what I read about the  
17 main objective about Road Watch is to reduced  
18 impaired driving by increasing the perceived risk of  
19 apprehension. And that's why, if you wouldn't mind  
20 now, turning to that Undertaking number 16.

21 MR. BYRON WILLIAMS: Yeah, it's MPI  
22 Exhibit 16 based upon Undertaking 13.

23 MS. MAVIS JOHNSON: MPI has this  
24 performance measure, well, it's called the Internal  
25 Performance Indicator, and it's related to -- it's

1 advertising related to on this issue of drink-  
2 driving. And what I noticed is that really not much  
3 has changed. The baseline between 1998 and 2002  
4 isn't a lot different than the latest study that was  
5 done in June 2012.

6                   So, again, it begs the question: Is  
7 that advertising that's trying to reach these groups  
8 being recognized? Because it would appear from this  
9 result that there isn't much likelihood that the poli  
10 -- the public think they're going to be stopped.  
11 This hasn't changed at all. So telling people that  
12 the police are out there and if they're drink-driving  
13 they're going to be stopped and they're going to be  
14 breath-tested, obviously the people -- the public  
15 don't perceive that as -- as a threat.

16                   And so, again, it just looks to me as  
17 though we should perhaps be paying attention to what  
18 our advertising is actually doing. Is it reaching  
19 the market? It might be reaching the market that  
20 they can remember but it's not being translated into  
21 any change of attitude or behaviour from the road  
22 users.

23                   Which leads me to this -- this  
24 discussion about education and awareness programs,  
25 and some of the limitations of the current



1 evaluation.

2 I think a lot of the evaluation that's  
3 done, and I know programs are pilot -- piloted and  
4 then measured and -- and rolled out, but the  
5 measurement seems to be awareness and reach. So, you  
6 know, was -- do people hear the advertising, how much  
7 of the audience did it reach, was it on the radio, in  
8 the newspapers, or whatever?

9 But what this -- what the evaluation  
10 seems to lack is any measurement of how did the  
11 change -- how did the behaviour change be -- from  
12 before to after. And the only way you can measure  
13 that is through observational studies.

14 Now, I'm not suggesting that every  
15 campaign that's done four (4) or five (5) times a  
16 year has to go through a before and after behaviour  
17 study. But I think at least once a year a formal  
18 observational survey should be done to confirm that  
19 there is some change in behaviour and that if it's  
20 happened -- and -- and obviously there's a lot of  
21 notations need to be made about the campaign itself,  
22 what behaviour was it trying to influence, what was  
23 the behaviour like before, what's it like after.

24 These are some things that really need  
25 to be paying attention to. And -- and again, it's

1 easy to say, We need to do more research. Research  
2 costs money. And so, you know, we can spend all our  
3 time doing research and then not do any programs.  
4 But we have to do some research to confirm in our own  
5 minds that what we're doing are the right things to  
6 do. So occasionally you do need to do some solid  
7 reviewing at the pro -- at the -- of the advertising  
8 and -- and communications campaigns.

9           As I mentioned before, media  
10 advertising and campaigns can be very, very  
11 expensive. And -- and if it's not controlled, if  
12 it's sort of hit and miss, then it can be even more  
13 expensive. And the solution for that really is to  
14 have a strategic communication plan, a strategic  
15 communication plan that's in line with the Traffic  
16 Safety Plan calendar, so that people know what  
17 behaviour's going to be targeted, who is going to be  
18 the target audience, which medium is going to be used  
19 to do the advertising.

20           And then all of the outlets from the  
21 partners can be participating in this strategic  
22 communications plan. And through Alberta, the  
23 communications team represents most of the government  
24 ministries and some of the stakeholder groups who all  
25 have links to their groups, the cycling community,

1 the motorcycling community. They all have these  
2 tentacles into community. So these core of about  
3 twelve (12) people that meet on their communications  
4 strategic group represent all these others who have  
5 access to nearly everybody in Alberta. So it really  
6 is a very important thing to consider.

7                   So I'm going to wind down now and  
8 provide just a couple of comments about what my  
9 understanding is of the programs. And -- and then I  
10 just want to touch a little bit on these two (2)  
11 recommendations about what we might want to include.  
12 And first of all, it's that there is a lack of  
13 evidence that any of them have really made a  
14 difference.

15                   I don't see in the data, in the  
16 performance reviews, that really I see any  
17 significant difference in any of the money that's  
18 been invested, other than auto crime -- I think that  
19 is -- is a very good example of a strategic approach  
20 to a program -- and the -- the fact that the programs  
21 themselves are not strategic and they somewhat lack  
22 coordination.

23                   There's little evidence that any of  
24 them have had any ongoing monitoring and evaluation.  
25 And as I mentioned, I think this is key. And again,

1 this isn't an MPI responsibility, but the focussed  
2 enforcement tactics seem to fall short of good  
3 practice. And whilst MPI isn't responsible for what  
4 the police agencies do, MPI are still the people who  
5 -- who pay for the results of the non-activity that's  
6 sometimes happening.

7 I think it's very important to review  
8 our investments in road safety. I think just because  
9 we've always invested in a program is not a good  
10 enough reason for doing it in the future.

11 In 1997, at ICBC, we went through a  
12 comprehensive review about all the programs at ICBC.  
13 Many of them were put -- not put on the shelf but  
14 they -- they went outside the responsibility of ICBC,  
15 and ICBC only focussed on those things that were  
16 evidence-based and would provide some sort of  
17 results.

18 All those programs that just got let  
19 go are what I call the softer side of road safety.  
20 Children's bicycle rodeos, which are a great way to  
21 promote bicycle safety. Puppet shows and theatres in  
22 schools. All of these sorts of things have a role  
23 but many of them really aren't evalua -- can't be  
24 evaluated for their effectiveness.

25 And so brokers in BC who used to get

1 money from ICBC for marketing they took on the role  
2 of all these softer side programs. And so the ICBC  
3 broker -- brokers became the ICBC broker road sense  
4 teams. And in communities they are the go-to people  
5 for brochures and information and organizing  
6 community events that really may not con --  
7 contribute to the bottom line at ICBC but it gives  
8 the agencies exposure about ICBC and its programs.

9           And so I think you have to make this  
10 clear distinction between those programs that are  
11 measurable and evidence-based and those provo --  
12 programs that are the softer side. They're nice to  
13 do and they give the MPI and other agencies some  
14 profile, but they shouldn't be confused with road  
15 safety strategic programs.

16           And the two programs that I'm  
17 reckoning -- recogni -- recommending that need some,  
18 I think, further attention is collisions on rural  
19 roads and collisions involving Aboriginals and First  
20 Nations.

21           As I mentioned on -- on rural roads,  
22 66 percent of all collisions occur there. So it's  
23 not a -- it's not good enough to say oh, yeah, well,  
24 let's focus on Highway 1 or Highway 63 or Highway 17  
25 or whatever numbers there are, and say let's do some

1 safety work on those highways, we need to do that  
2 homework. We need to really look at what is it that  
3 are causing problems on those roads and what sort of  
4 things are in my road safety toolbox that I can bring  
5 to the table.

6                   So a lot more analysis is required.  
7 And a good way really to look at corridor-wide -- a  
8 good way to look at rural roads is to look at the  
9 corridor-wide program, that's how shoulder rumble  
10 strips have -- have been introduced, how centre line  
11 median strips, wire rope cable barriers, on a  
12 corridor-wide basis rather than just picking off the  
13 occasional black spot where you might invest two  
14 hundred thousand dollars (\$200,000) here and five  
15 hundred thousand dollars (\$500,000) there. But you  
16 can get a better level of safety along the whole  
17 corridor if you look at it in its entirety.

18                   And the reason that I mention the  
19 importance of Aboriginals and First Nations is that -  
20 - well, first of all, in British Columbia and Alberta  
21 this is a big issue. Now having said that I can't  
22 tell you how big an issue it is because the way that  
23 health and injuries are reported for First Nations  
24 people isn't readily available. But what we do know  
25 from the people who work with Aboriginal communities

1 in Alberta and in BC is that behaviour -- social  
2 behaviours that are issues for Aboriginal and First  
3 Nations people are behaviours that tend to result in  
4 traffic collisions.

5                   So in Alberta, three (3) of the  
6 regional traffic safety coordinators are dedicated  
7 just to working with First Nations people. And First  
8 Nations people is quite a big number that live in --  
9 in Manitoba. I got this from the Manitoba --  
10 Province of Manitoba website, a hundred and seventy-  
11 five thousand (175,000) of them live on and off  
12 reserve are -- are Metis. And what I think is  
13 important is 60 percent of them are under thirty  
14 (30). So those are the people who would fit in this  
15 category of really still young drivers. And all I'm  
16 suggesting is that perhaps they need special  
17 attention.

18                   And one (1) of the attachments that I  
19 put in the -- in the document is about the Aboriginal  
20 traffic safety strategy for Alberta. Because I think  
21 there are some things that -- that are transferrable  
22 into other provinces.

23                   MR. BYRON WILLIAMS: And by "in the  
24 document," you're referring to Appendix F of your  
25 pre-filed written evidence?

1 MS. MAVIS JOHNSON: Yes. Yes, that's  
2 true. It would be remiss of me if I didn't make a  
3 comment about the MPI public consultation exercise  
4 that took place, because I thought that this was an  
5 excellent way to take the pulse, if you like, of what  
6 people were thinking across the province about  
7 traffic safety, about the role of MPI. And this is  
8 something that we should do on a regular basis. We  
9 need to check what are people's attitudes. What's  
10 the public attitude toward speeding, towards drink-  
11 driving, towards distracted driving. So we need to  
12 be polling the public about what their thoughts are  
13 in this -- in -- on these topics.

14 And I think it was an opportunity for  
15 MPI to speak to the community in its -- in its role  
16 as the person, the people, the group that do the  
17 driver licensing and testing, issuing of driver's  
18 licences, because now -- this now a -- like if you --  
19 a one (1) stop shop to do with -- to do with drivers  
20 and safety.

21 And what I saw, that jumped out at me  
22 from that document, is that they are really  
23 suggesting that there is support for a new and  
24 different role for MPI. I think people could see  
25 that MPI is probably the logical place to start to



1 lead the charge about traffic safety in -- in  
2 Manitoba. There are many partners. You will never  
3 do the enforcement. You'll never do engineering. On  
4 roads you might assist the infrastructure in  
5 different ways. But there are many things you will  
6 never do. But by leading the way I think would be a  
7 significant step forward for MPI.

8                   And as I close, I'd like just to talk  
9 about the fact that I think -- I -- I think MPI is at  
10 a crossroads right now. I think they have an  
11 opportunity, as much as anything else, based on the  
12 fact that the province seems to be indicating that,  
13 you know, it would be okay with us if you do -- did  
14 look at a -- a new direction and a new face, and new  
15 applications, and new partners.

16                   So I think the options are pretty much  
17 instead of doing -- MPI could stay doing what it's  
18 doing, like continue as is with little progress,  
19 continuing rising claims costs. Now, I just want to  
20 add a -- a caveat to that, that obviously we don't  
21 control claims costs, because the costs of repairing  
22 vehicles has increased immensely over time and all  
23 these new bell -- bells and whistles cost more to  
24 replace and repair; much differently than when you  
25 just had to change a lightbulb if the -- if the bulb

1 went out. So the costs of claims, within reason I'm  
2 -- I'm talking about, but co -- the overall claims  
3 costs.

4                   And perhaps -- perhaps not higher  
5 premiums, but some sort of pressure -- the pressure  
6 to maintain the premiums. And through that, it might  
7 be through reduced budgets in road safety for which I  
8 think is a very important and solid business role for  
9 MPI. Or, you could go into the right column which is  
10 making a difference by in -- in fact increasing the  
11 investment in evidence-based road safety programs.

12                   If you can determine why it's a good  
13 business model to do this program, which is predicted  
14 to produce these results, that's going to have more  
15 revenue, I would not -- couldn't understand why a  
16 Board would turn that down. And in fact, when ICBC  
17 went to its Board in 19 -- 1999 with a five (5) year  
18 plan for the Road Improvement Program that took them  
19 up to a \$10 million investment, we had enough  
20 evidence to show that this money was going to be  
21 returned, and it continues to do so today.

22                   The program at ICBC still returns good  
23 value for money on the investments it makes. And it  
24 will continue to invest in programs that can show its  
25 return in investment.

1 I think it can be -- make a difference  
2 if it became more strategic. And I guess my last  
3 comment would be that taking the leadership role in  
4 road safety in pro -- in the province would really  
5 ensure that the Province of Manitoba would continue  
6 to make, or start to make a much more significant  
7 difference in road safety than it has recently.

8 And with those remarks I would close  
9 and thank you. I realize it's been a lot to listen  
10 to, but I thank you for your interest.

11 MR. BYRON WILLIAMS: Ms. Johnson,  
12 just before you close, just if you could pick the  
13 areas of program evaluation, portfolio mix,  
14 infrastructure, and drivers ed. and -- and sum up one  
15 (1) or two (2) recommendations under each of those  
16 categories, what would they be?

17 MS. MAVIS JOHNSON: Well, I think  
18 evaluation, I've spoken a lot about evaluation. I  
19 think reviewing the programs in the current por --  
20 portfolio has to be like a starting point. We really  
21 need to look at all the programs. And I -- I  
22 wouldn't even call them investments, because  
23 investment suggests that you're going to get some  
24 return on it. I think all the expenses that are  
25 currently being made in road safety in the current

1 portfolio need to be reviewed.

2                   And, ultimately, we need to move to  
3 measuring outcomes, not just outputs. I think that  
4 would -- if we talk about the portfolio mix, as I  
5 read -- and -- and, in fact, if I had talked about  
6 every program, I tried to reference them in the  
7 appendix in -- in my report, but there are many, many  
8 things, this humungous amounts of information on the  
9 website for people. But, you know, I would need to  
10 ask how many people go there and read it. Do you  
11 know how many people look at the website? Do you  
12 know people -- if people are looking for information  
13 on commercial vehicle driving or driving a trailer or  
14 carrying -- towing a caravan; these sorts of things  
15 because, ultimately, it costs something to put out a  
16 brochure or to put something on the -- on the  
17 internet.

18                   So, again, I think many, many  
19 programs, and -- and, for me, I think too many of  
20 them are focussed on advertising and -- and  
21 campaigns. I think re-focussing where that money  
22 might go -- there is a role for it, clearly, but I  
23 think perhaps it -- it is -- is not in proportion to  
24 the potential for the return on investment.

25                   MR. BYRON WILLIAMS:    Anything on

1 infrastructure or drivers ed.?

2 MS. MAVIS JOHNSON: Oh, on drivers  
3 ed. Oh, key is this summative evaluation. I think  
4 that question that's gone unanswered is, ultimately,  
5 it's not how qua -- how -- what is the quality of the  
6 driver education product. We can strive for the best  
7 that there is in the world, but if it is turning out  
8 students that aren't any better than those who  
9 haven't, then I would have to ask the question: Why  
10 would we then invest in that or -- or sponsor it to  
11 the extent that we do? Because I'm -- I'm not com --  
12 I'm not confident that -- that that is the case, that  
13 there is a clear benefit from drivers that have taken  
14 High School driver ed.

15 And the -- and the second -- if the --  
16 if MPI decides that it's going to go forward with the  
17 second stage of the -- of the High School driver ed.,  
18 as we heard from the guys yesterday, I think we  
19 should start with a pilot. Do a pilot in either a  
20 region or a school or a couple of schools rather than  
21 roll it -- roll it out all across the province before  
22 you've really evaluated its -- its value.

23 I think there's still a role for  
24 infrastructure investments. And we're not talking  
25 about building roads and bridges, building

1 interchanges, but we might be talking about the  
2 safety benefits of doing road safety audits,  
3 introducing safety features into roads, assisting  
4 with small -- and there are low cost measures that  
5 can have big returns on investment. So doing some of  
6 those things; doing black spot analysis, or assisting  
7 with black spot analysis, I think are valuable things  
8 that MPI can contribute to.

9 MR. BYRON WILLIAMS: Thank you, Ms.  
10 Johnson. She is ready for examination. I believe My  
11 Learned Friend, Ms. Grammond, may be leading off.  
12 I'm just going to confer with my witness for one (1)  
13 second to see if we require a quick break.

14 THE CHAIRPERSON: Actually, people on  
15 this end would like a five (5) minute break, if  
16 that's okay.

17 MR. BYRON WILLIAMS: Well, you're the  
18 boss, so that'll -- that'll do for --

19 THE CHAIRPERSON: Yes, we will take a  
20 five (5) minute break. Thank you.

21

22 --- Upon recessing at 3:17 p.m.

23 --- Upon resuming at 3:28 p.m.

24

25 THE CHAIRPERSON: Okay. Thank you

1 very much. We're ready to resume our hearing, and  
2 we're going to begin with the cross-examination by  
3 Ms. Grammond.

4 MS. CANDACE GRAMMOND: Thank you,  
5 Madam Chair.

6

7 CROSS-EXAMINATION BY MS. CANDACE GRAMMOND:

8 MS. CANDACE GRAMMOND: So, Ms.  
9 Johnson, I'm going to have some questions -- I'm over  
10 here, sorry. I moved. I moved back to my normal  
11 spot. Yeah, just -- just trying to mess with you.  
12 No.

13 I'm going to have a -- a few questions  
14 for you in some specific areas. One (1) preliminary  
15 question that I do have, though, relates to a report  
16 that you had referenced from SGI. Would you be able  
17 to provide the Board with the link to that report, or  
18 -- or a hard copy? But a link's probably better, if  
19 it's lengthy.

20 MS. MAVIS JOHNSON: I think -- I  
21 thought the link was in the document. I had  
22 forwarded it separately, but let me --

23 MR. BYRON WILLIAMS: If I could  
24 assist, Ms. Grammond. It is referenced at page 30 of  
25 -- of Ms. Johnson's report. It's the study by Pike

1 et al. --

2 MS. CANDACE GRAMMOND: Oh.

3 MR. BYRON WILLIAMS: -- presented to  
4 the Saskatchewan Government Insurance. But Ms.

5 Johnson would undertake to provide an -- an  
6 electronic copy of that document to -- to the Board  
7 and to Intervenors and to Manitoba Public Insurance.

8 MS. CANDACE GRAMMOND: That would be  
9 helpful. Thank you.

10 MS. MAVIS JOHNSON: Yes.

11

12 --- UNDERTAKING NO. 42: Ms. Johnson to provide  
13 electronic copy of SGI  
14 report

15

16 CONTINUED BY MS. CANDACE GRAMMOND:

17 MS. CANDACE GRAMMOND: Okay. So, Ms.  
18 Johnson, the questions that I have, as I said, relate  
19 to some specific areas, and those arise from one (1)  
20 of the previous orders of the Board from years past  
21 when the Board had identified that -- had had some  
22 comments with respect to road safety, and it had  
23 listed a few specific areas. So that's how I'm  
24 organizing my questions, so these are in no  
25 particular order.



1                   The first one that I'll address is --  
2 is the area of distracted driving. So, typically,  
3 when we talk about distracted driving, we think about  
4 use of a hand-held device, a cell phone, texting.  
5 Are there other activities that you would consider  
6 distracted driving?

7                   MS. MAVIS JOHNSON: Yes. In fact,  
8 the -- the legislation in Alberta is probably the  
9 most holistic approach to distracted driving because  
10 it actually identifies many, many things such as  
11 eating food, putting makeup on, shaving, and all  
12 sorts of many other things that are distractions,  
13 other than texting and using the cell phone.

14                   There are many, and in fact just this  
15 week, a study in -- was released from the Monash  
16 University in Australia that actually talked about a  
17 worse distraction than any others that are mentioned  
18 in any legislation is children in the back of cars of  
19 parents. And this study showed that, for every three  
20 and a half (3 1/2) minutes out of a sixteen (16)  
21 minute drive, the driver was distracted with what was  
22 going on in the back of the car.

23                   So, yeah, the -- there are --  
24 distraction is broad. It's not just cell phones and  
25 that's -- grabbed the attention of people, but it's

1 beyond that.

2 MS. CANDACE GRAMMOND: And in terms  
3 of that spectrum of activities, are there some that  
4 are seen to be as -- more distracting or worse than  
5 others, or are they all treated equally from a road  
6 safety perspective?

7 MS. MAVIS JOHNSON: Well, I think  
8 they're -- they're treated equally from a road safety  
9 perspective. And -- and actually, it's a myth about  
10 the whole hand-held driving, because you are actually  
11 no better on a hand-held (sic) phone than you are --  
12 than if you are holding the phone -- hand-held and  
13 having a -- a remote microphone.

14 People drive as badly in both  
15 situations, but I think the idea with having hands  
16 free was that -- that people would -- the governments  
17 would be seen to be doing something, but they didn't  
18 want to take all of the -- the things away from  
19 drivers. But really, nobody's better with hands-free  
20 than they are with hand-held.

21 MS. CANDACE GRAMMOND: And when  
22 you're talking about that comparison between hands-  
23 free and hand-held, you're talking about talking as  
24 opposed to texting?

25 MS. MAVIS JOHNSON: Yeah, talking.

1 Yeah.

2 MS. CANDACE GRAMMOND: And can you  
3 comment on why that is? Why are those seen as  
4 equally bad, hands-free or hand-held.

5 MS. MAVIS JOHNSON: They've done a  
6 lot of research. The Insurance Institute for Highway  
7 Safety in the States has done extensive int --  
8 research into distracted driving, as have many other  
9 agencies. Lots of universities have done research.

10 And so they've actually observed  
11 people who are actually doing these things while  
12 they're going through a -- a series of manoeuvres, or  
13 through the use of a simulator. So there's been a  
14 lot of testing about this all across North America.  
15 And, again, we can learn so much from other  
16 countries.

17 MS. CANDACE GRAMMOND: Thank you.  
18 Now, you've provided in your report the statistics on  
19 the effect on accident counts and fatalities, that's  
20 at page 12 of your written report, and those numbers  
21 are that -- in terms of the most prevalent  
22 contributing factors recorded for collisions, this is  
23 2011, distracted driving is 7 percent. So I'm on  
24 page 12 of the written report.

25 MS. MAVIS JOHNSON: 27 percent?

1 MS. CANDACE GRAMMOND: Sorry, for the  
2 -- the first -- I was going to come to the 27 percent  
3 --

4 MS. MAVIS JOHNSON: Okay.

5 MS. CANDACE GRAMMOND: -- but the  
6 first number was "prevalent contributing factors  
7 recorded for collisions," distracted was at seven (7)  
8 --

9 MS. MAVIS JOHNSON: Yeah.

10 MS. CANDACE GRAMMOND: -- and then  
11 under "Prevalent contributing factors for people  
12 killed or seriously injured" 27 --

13 MS. MAVIS JOHNSON: Yeah.

14 MS. CANDACE GRAMMOND: -- percent.  
15 And that, of course, has -- I assume one (1) of the  
16 factors that has led you to suggest that distracted  
17 driving should be a key priority for Manitoba?

18 MS. MAVIS JOHNSON: Yes.

19 MS. CANDACE GRAMMOND: Now, farther  
20 on in your report on page 45 you have a section on  
21 distracted driving. This is Section 4.6.2, page 45  
22 of the report, where you relay some information on  
23 MPI's website. And then on to page 46 you talk about  
24 the radio advertising in conjunction with new -- new  
25 sanctions. And then you have a -- a recommendation

1 with respect to this.

2                   So if we -- we focus on your  
3 recommendation at the top of page 46, you say:

4                   "MPI should ensure that the  
5 advertising related to distracted  
6 driving is targeted at the  
7 appropriate audience."

8                   If we juste stop there for a minute.  
9 Who would you say the appropriate audience is?

10                   MS. MAVIS JOHNSON: Well, I'm sorry I  
11 can't answer that question. I haven't delved into  
12 the data sufficiently. But if I was -- if this was a  
13 part of my program here I would know, because I would  
14 have looked at the data that would loo -- tell me  
15 through the claims data and the police data, the age  
16 of the driver that was involved in the distracted  
17 driving collisions. And so -- but I couldn't tell  
18 you that, and I can't grasp it straight from the  
19 data.

20                   MS. CANDACE GRAMMOND: So if I  
21 understand you correctly, what you're saying is for  
22 someone to determine who the appropriate audience is  
23 they would have to look at the existing numbers in  
24 terms of that activity; who's been caught for lack of  
25 a --

1 MS. MAVIS JOHNSON: Yeah, and del --  
2 yeah. And observations. The police make  
3 observations as well about who they see driving  
4 distracted.

5 MS. CANDACE GRAMMOND: Thank you.  
6 Now, your sentence goes on to say:

7 "Targeting to the appropriate  
8 audience using the most appropriate  
9 medium."

10 Is the medium something that's  
11 determined once you know who the audience is?

12 MS. MAVIS JOHNSON: Yeah. I mean, if  
13 -- if the audience there are particularly young  
14 people, I would suggest that the most appropriate  
15 medium would be soc -- a form of social media. Young  
16 people don't listen to the radio. They don't have  
17 radios in the car. They've got big blasters that  
18 make a lot of noise, but you don't get news --  
19 newscasts and public service announcements on those.

20 MS. CANDACE GRAMMOND: And I -- I was  
21 going to ask you about social media a little later  
22 on, but since you've brought it up I'll ask you about  
23 it now. When -- when -- the term 'social media' to  
24 me anyways means Facebook, Twitter --

25 MS. MAVIS JOHNSON: Twitter.

1 M. CANDACE GRAMMOND: -- so forth.  
2 Can you comment a little bit further on how a  
3 corporation like MPI would disseminate that kind of  
4 information?

5 MS. MAVIS JOHNSON: Well, there are  
6 agencies that are doing that right now. Alberta  
7 Transportation, through their communications  
8 strategy, always has social media attached to their  
9 media files. As well as doing TV ads and radios,  
10 they always have a Twitter messaging, Facebook, and  
11 some others that I haven't even heard of, but they  
12 do. And the Government of British Columbia recently,  
13 last year, held a symposium on social media, and  
14 actually brought out an expert from the UK about how  
15 and which types of social media are the -- the best  
16 formats to use.

17 MS. CANDACE GRAMMOND: Thank you.  
18 Now going back to distracted driving for a moment. I  
19 -- I heard you say in your direct evidence that --  
20 and it's obviously in your report as well, that with  
21 all of these things there needs to be enforcement  
22 together with messaging. And -- and I would say it's  
23 probably fair to say that increased enforcement  
24 specifically targeted at distracted driving would be  
25 something you would endorse.

1                   Are there other practices or  
2 strategies that you can comment on that -- that would  
3 relate to trying to address this issue, other than  
4 the messaging and -- and corresponding enforcement?

5                   MS. MAVIS JOHNSON: Well, I believe  
6 that the -- the cell companies have a role to play in  
7 preventing people from using the -- their cellphones  
8 while they're in a car. It amazes me that we can put  
9 people on the moon and we can't stop the -- the cell  
10 systems going into a car when somebody gets into it,  
11 or the engine is turned on. I just can't believe  
12 that that technology's not available.

13                   So I think -- and, in fact, the two  
14 (2) fellows yesterday I think referenced that whole  
15 idea of trying to get the -- the companies themselves  
16 to be more proactive in ensuring people shut down and  
17 stuff like that before they get in their car and --  
18 but having the ability to do that electronically or  
19 technically, I don't think it's impossible.

20                   So, yeah, whe -- when -- and again,  
21 when we're looking at road safety countermeasures we  
22 should always be looking -- by thinking out of the  
23 box rather than just thinking of the usual three  
24 'E's. You know, there -- sometimes you'll have to  
25 look for really way out ways to -- to make a



1 difference.

2                   And the enforcement for distracted  
3 driving in many provinces has taken a very  
4 interesting review. We had a picture in our  
5 newspaper of a gingerbread man walking across the  
6 zebra crossing, and he was a police officer, and he  
7 picked up eleven (11) cars of people who were driving  
8 past him on the -- on the cellphone when he was on  
9 the -- on the crosswalk.

10                   So there's all sorts of innovative  
11 ways that the police are trying to actually do this  
12 enforcement, but it is very, very difficult, very,  
13 very challenging.

14                   MS. CANDACE GRAMMOND: Thank you.  
15 Those are my comments with respect to -- or my  
16 questions rather with respect to distracted driving.  
17 One (1) of the other items that the Board had put on  
18 its list was motorcycle safety. And I know you're  
19 familiar with MPI's existing efforts in that area.

20                   I noticed in your report on page 28  
21 you referenced a strategy put into practice in  
22 Australia by the TAC. This is the -- an additional  
23 premium or a levy that was required to be paid.

24                   Can you comment on that a little bit?

25                   MS. MAVIS JOHNSON: Well, I -- I only

1 know what I -- from the people who told me about this  
2 program. I haven't been there and observed it. But  
3 I do know that because Australia is focussing on this  
4 Safe System Approach, and they are really doing  
5 everything they possibly can within that Safe System  
6 to prevent collisions taking place.

7           And one (1) of the cha -- challenges  
8 they have is with motorcycle safety. You know, they  
9 -- I -- I was going to say, they don't have air bags,  
10 but they do. Now they have helmets with air -- air  
11 bags on, and equipment with air bags on. But they  
12 have actually even rated the equipment that -- the  
13 clothes that motorcyclists can wear.

14           So you can buy better quality  
15 equipment to prevent you -- protect yourself if you -  
16 - if you fall off. But a lot of what the money was  
17 required for was for improving the roads for motor --  
18 motorcycle safety.

19           And as I -- as they told me about this  
20 program, it was not very popular at the beginning  
21 because motorcyclists thought, Well, why should you  
22 pick on me. Well, the idea was that they really had  
23 to make these -- these roads even safer.

24           Now, I didn't put it in this report,  
25 but I can tell you that in -- in Europe, particularly

1 in Sweden, where Vision Zero started, where they  
2 don't want to have anybody killed on the highway as a  
3 result of -- of motorbi -- motor vehicle crashes,  
4 that they're wanting to do everything they can on the  
5 roadways to prevent these collisions occurring, safer  
6 roadsides, putting the sle -- speed limits down. And  
7 one (1) of the dilemmas they're faced with was how do  
8 they actually prevent motorcyclists from being killed  
9 on the road.

10 And one (1) of the be -- discussions  
11 they'd been having is that perhaps there are some  
12 roads that we have to ban motorcyclists from because  
13 there's no way that we can protect them on those  
14 roads physically.

15 And so they're -- but, you know, the  
16 safety equipment, much as vehicle safety equipment  
17 has improved in the last years, so has the safety  
18 equipment. So that is -- that's what I know about  
19 the -- the levy at TAC. It's like a toll on a bridge  
20 though, I see, because it never got -- not -- never  
21 got took -- taken off.

22 MS. CANDACE GRAMMOND: Are there any  
23 other specific motorcycle-related initiatives that  
24 you're aware of from other jurisdictions that have  
25 had results in terms of safety?

1 MS. MAVIS JOHNSON: No, not so much.  
2 Improving the safety of the road on particular  
3 motorcycling routes so that the roadsides are more  
4 forgiving, a few places in the States are doing that.  
5 And I think there's a -- a much greater focus on  
6 trying to encourage people to take training. I'm not  
7 sure how well those are paying off, but I know that -  
8 - and also in the UK -- and in fact, Mr. Oakes might  
9 know more about this than I do, is I think you can  
10 only get a licence for a certain size of motorcycle  
11 in the UK. And if you want to drive a faster, more  
12 powered motorcycle you have to have a separate higher  
13 licence and take a better test.

14 So I think there are people that are -  
15 - are doing some things that are trying to improve  
16 this -- the issue of motorcycle crashes.

17 MS. CANDACE GRAMMOND: Thank you.  
18 I'll go then to the next area on the Board's list,  
19 which was impaired driving. We looked on page 12 of  
20 your report with respect to the numbers for  
21 distracted driving. I just ask that we go back there  
22 on that list, the bottom of page 12 for the list of  
23 contributing factors recorded for fatal or serious  
24 injury collisions, we see impaired driving and just  
25 under distracted driving at 25 percent, and hence

1 that is also on your list of key priorities.

2 Is that right?

3 MS. MAVIS JOHNSON: Yes, it is. Now,  
4 one (1) of the reasons that it may not be in the list  
5 of -- why it doesn't show up as a contributing factor  
6 to all collisions is that there's many studies that  
7 show that people who drink and drive also speed, and  
8 also don't buckle up. And so the -- because they  
9 don't -- they do those things as well, the severity  
10 of the injury is likely to be greater than somebody  
11 who is just driving slower, they're buckled up, and -  
12 - and obeying the rules of the road. But people tend  
13 -- who -- who are impaired tend to do other things as  
14 well, which make the injury more severe.

15 MS. CANDACE GRAMMOND: Now, I know  
16 you're familiar with MPI's existing efforts in the  
17 impaired driving area. And if we go to page 43 of  
18 your report we have your Section 4.6.1 that deals  
19 with drinking and driving. And that discussion goes  
20 on for a couple of pages. And we see on page 43  
21 you've got a -- a text box there in the middle of the  
22 page that reflects some numbers from the Traffic  
23 Collision Statistics Report.

24 And if we look at the -- the last two  
25 (2) bullets we see that in 2010 drivers age 16 to 24

1 years represented almost 15 percent of licenced  
2 drivers, yet accounted for nearly a third of all  
3 alcohol impaired driving conditions -- convictions,  
4 pardon me. And in 2010 licenced drivers age 25 to 44  
5 represented a third of drivers on Manitoba roads, yet  
6 accounted for close to nearly half of all alcohol  
7 impaired driving convictions.

8 Am I reading that right?

9 MS. MAVIS JOHNSON: Yeah, but again,  
10 it's how you look -- I mean, we're talking about  
11 eight (8) years between the sixteen (16) and twenty-  
12 four (24) year. We're talking about twenty (20)  
13 years sca -- span in the other twenty (20) year  
14 group. And so again, it's like really comparing  
15 apples and oranges. You just have to be cautious  
16 because you're not comparing really the same things.  
17 I think if -- if -- but that's how MPI divides their  
18 age categories.

19 MS. CANDACE GRAMMOND: And, again,  
20 you're recommendation with respect to impaired  
21 driving, and this is on page 45, is that MPI ensure  
22 that its advertising relating to impaired driving is  
23 also targeted at the appropriate audience.

24 Are you in any different position on  
25 this to talk about who you would think the

1 recommended audience or the appropriate audience is?

2 MS. MAVIS JOHNSON: No, but I do  
3 think you can break it down into -- into further than  
4 just the age group. You could look -- you might even  
5 look at, or do some sampling of a football, and I  
6 don't mean just -- or I should say sports. One (1) -  
7 - some of the studies that -- that were done in  
8 Australia, talked about people who participate in  
9 high-risk behaviours, take young people especially,  
10 and they also drink and drive, don't buckle up, and  
11 don't (sic) speed.

12 So just knowing the age of the group  
13 in northern Alberta where people are coming to work  
14 on the oil fields, young people are coming to work  
15 there. And -- and they've got plenty of money and  
16 they buy fast cars, even pickup trucks, and -- and  
17 they are also over-represented.

18 So it can also be a geographic area  
19 that needs to -- the -- the focus needs to be on, or  
20 -- or people in a -- in a geographic area. It might  
21 be repeat offenders, people who've had, you know,  
22 frequent impaired driving convictions.

23 MS. CANDACE GRAMMOND: Thank you. On  
24 page 45 there, just one (1) other question about  
25 this. You say just under the recommendation

1 paragraph:

2 "It is further recommended that MPI  
3 have a discussion with ICBC as to  
4 the cost-effectiveness of investing  
5 in enhanced enforcement focussed on  
6 drinking and driving."

7 I gather that there is something  
8 specific there that ICBC undertook?

9 MS. MAVIS JOHNSON: Well, ICBC  
10 continues to invest heavily in police enforcement,  
11 enhanced enforcement. And in order for the police  
12 agencies or the police services to get the funding  
13 from ICBC, they had to do very robust cost-benefit  
14 analysis about where the enforcement was going to be  
15 done, during which hours, on which type of audiences.  
16 And so they -- and it all has to do with how do you  
17 develop your benefit-cost analysis to decide how much  
18 you're going to invest.

19 So out of something like \$20 million  
20 that ICBC invests in enhanced enforcement, how much  
21 is going to go to impaired driving, how much is going  
22 to go into speeding, and how much is going to go into  
23 other topics.

24 MS. CANDACE GRAMMOND: Thank you.  
25 Another topic that the Board had identified in its



1 earlier orders was the role of technology in road  
2 safety. Now, you've talked about this already a  
3 little bit, talking about new features in vehicles,  
4 stability control, the insurers encouraging a newer  
5 fleet, safer vehicles within the fleet. You talked  
6 about ICBC having information online about safer  
7 vehicles.

8                   Are there any other comments or  
9 practices that you're able to refer to about the role  
10 of technology in this road safety program?

11                   MS. MAVIS JOHNSON: Well, I do think  
12 there are other intelligent transportation measures  
13 that are linked to our transportation system; things  
14 like coordinated traffic signals, active warning  
15 signs. You know, one (1) of the things about driving  
16 along rural roads, and especially where there are  
17 wildlife, is that people are always seeing the  
18 leaping stag sign to tell you that there's wildlife  
19 ahead, and pro -- they probably drive through there a  
20 hundred times and never see an animal. And so they  
21 sort of -- they decide then that: Well, I don't need  
22 to think about animals. I've never seen one.

23                   But active signs are signs that only  
24 are activated when there are animals close to or on  
25 the highway. And I think those can be used in other

1 measures as well, such as slowing down on the  
2 approach to severe curves. We have a -- a warning  
3 sign to slow down from perhaps ninety (90) down to  
4 seventy (70) to take this curve, but again, it looks  
5 like a curve that I can drive around easily at eighty  
6 (80) or ninety (90). On a wet, snowy day, it might  
7 not be like that at all.

8                   And so having active signs that are  
9 only alert when you need them are actually showing  
10 positive benefit.

11                   MS. CANDACE GRAMMOND:    And -- and  
12 those would be the dynamic warning signs?

13                   MS. MAVIS JOHNSON:    Dynamic messaging  
14 signs.

15                   MS. CANDACE GRAMMOND:    Yeah. You  
16 referred to those in one (1) of your responses to  
17 CMMG's IRs, and so I'm -- I'm glad you brought that  
18 up, because I was going to ask you about the -- the  
19 wildlife piece next.

20                   Can you tell us a little bit about how  
21 those signs work? I -- I hear what you're saying,  
22 that they only kick in if needed, but --

23                   MS. MAVIS JOHNSON:    Well, it's all to  
24 do with sensors. There are sensors in the -- in the  
25 lights. I mean, I'm not a tech -- technocrat by any

1 means. But there are sensors in -- in the signs and  
2 there are sensors along the roadside, and if that  
3 sensor gets tripped then the light gets -- gets --  
4 some of them are directed by speed. So if the sign  
5 or the-- well, there's some radar built into the  
6 sign, and it can detect that as you're approaching  
7 the sign, you're driving too fast for what it says,  
8 it -- it -- the light automatically lights up, the  
9 LED light. So that's my understanding of how they  
10 work.

11 MS. CANDACE GRAMMOND: And where are  
12 those being used now, to your knowledge?

13 MS. MAVIS JOHNSON: I think they're  
14 being used in northern B -- northern BC. I did  
15 actually forward a report that I had from Alberta.  
16 Was it forwarded in response to one (1) of the  
17 questions from wildlife? It was about the study on  
18 Highway 3 through BC and Alberta where they were  
19 testing a lot of these things.

20 MS. CANDACE GRAMMOND: Yes, it's --

21 MS. MAVIS JOHNSON: The University of  
22 Calgary has also been doing a lot of research into  
23 advanced warning of not only de -- animals, but  
24 pedestrians, as well.

25 MS. CANDACE GRAMMOND: The report you

1 mentioned is referenced in response to CMMG--CAC IR  
2 3.

3 MS. MAVIS JOHNSON: Okay.

4 MS. CANDACE GRAMMOND: Okay. So  
5 before we go to -- to wildlife exclusively, is there  
6 anything else on technology that you would -- that  
7 hasn't been mentioned today that you would want to  
8 mention?

9 MS. MAVIS JOHNSON: No, although I am  
10 still concerned about the disbenefits that might  
11 occur as a result of all these vehicle technologies.  
12 And, in fact, the colleagues who were here yesterday  
13 from the states touched on it a little bit, and that  
14 was about when ABS brakes were first introduced  
15 people thought they could drive faster.

16 And I'm sure there will be young  
17 people that have vehicles with electronic stability  
18 control and will try to test the limits of these --  
19 the electronic stability control and will try and --  
20 and speed around the curve and see at what -- what's  
21 the tipping point, yeah, because there are people who  
22 just like to do those sorts of risky behaviours.

23 And so you think about all the things.  
24 And my sister has got a new car. It's got a blind  
25 spot light on the -- on the mirrors, on the two (2) -

1 - two (2) side mirrors. Now, if those lights weren't  
2 working and she's in the habit of just looking there  
3 and, Oh, there's a light there, somebody must be in  
4 my blind spot. But if they weren't working one (1)  
5 day, she's now getting out of the habit of even  
6 shoulder-checking to see if anybody is in the blind  
7 spot.

8                   So these are just example of ways  
9 where bri -- drivers might become more over-confident  
10 or -- or stop thinking because they let the vehicle  
11 do all the thinking for them.

12                   MS. CANDACE GRAMMOND: Thank you. So  
13 with respect to wildlife then, I know you commented a  
14 little bit about that very early in your evidence  
15 today. And in response to CMMG/CAC number 2, you had  
16 commented about the following best practices, the  
17 dynamic warnings signs, which we've talked about,  
18 reduction of speed, occupant restraint, and in-  
19 vehicle measures.

20                   So I -- I understand what reduced  
21 speed is. I understand what occupant restraint is.  
22 Can you tell us what are in-vehicle measures and how  
23 do those relate to wildlife collisions?

24                   MS. MAVIS JOHNSON: Well, again, I've  
25 seen this technology demonstrated. That is whereby

1 there are recorders in the windshield of the vehicle  
2 that can detect much further ahead the fact that  
3 there's something on the highway.

4                   And the heads up display can report to  
5 you that, you know, in -- and not right in front of  
6 you, but down the road you're -- you're going to  
7 coming across deer or moose or whatever it is. And  
8 that is an -- an indicator to the driver that you  
9 need to slow down because you're going to see  
10 something. It -- it takes the guesswork of -- out of  
11 whether there's going to be animals on the road or  
12 not. So those are certainly on -- on some vehicles  
13 now.

14                   And Parks Canada were doing some  
15 testing, not so much with vehicles -- yeah, well, I  
16 guess with vehicles, about this type of technology,  
17 is -- is the advance recognition that there's  
18 wildlife on the highway.

19                   MS. CANDACE GRAMMOND: Thank you.

20                   MR. REGIS GOSSELIN: Are you aware of  
21 any jurisdiction where speed limits are reduced in  
22 wildlife popular zones?

23                   MS. MAVIS JOHNSON: I'm not  
24 personally, but I'm sure that there are because all  
25 the north -- Northern European countries have exactly

1 the same issues as we have with different types of  
2 wildlife. And -- and since they are really keenly  
3 interested in -- in what might be called dual speed  
4 limits or seasonal speed limits even, that they --  
5 they do have those.

6                   They certainly have -- and, in fact,  
7 Alberta's doing a test right now on seasonal speed  
8 limits whereby when the winter weather is evident,  
9 the speed limits are reduced in certain places. And  
10 that could be a part of when the wildlife are  
11 expected to be on the road because they're not there  
12 all year round. So if you could have those out at  
13 the times when they're likely to be there, they're  
14 probably going to be most useful.

15                   The challenge with wildlife though as  
16 well now in -- in many areas is that it's not only  
17 rural roads. The City of Ottawa has actually the  
18 highest deer kill than any other province in Canada,  
19 the City of Ottawa. So there are -- and -- and it's  
20 the same in Vancouver, we are building houses in  
21 places where wildlife used to live, so we can expect  
22 there's going to be wildlife there.

23                   MS. CANDACE GRAMMOND: Thank you.  
24 Ms. Johnson, you've commented a little bit today  
25 about issues related to cycling and cycling safety.

1 You and Mr. Williams talked about the right turn on  
2 red and you also commented about focussing on problem  
3 intersections. Can you give us any other best  
4 practices or suggestions with respect to cycling  
5 safety?

6 MS. MAVIS JOHNSON: There are some  
7 states that have moved to a very specific distance  
8 when a car is passing a bicycle. I think one (1) of  
9 the dilemmas for police is, you know, I think what  
10 the legislation said was 'at a reasonable length' or  
11 -- where's my cycling expert over there? Whatever  
12 the legislation said, this has now put to very  
13 specific three (3) feet or a yard -- metre away. But  
14 again, all these things need to -- need to be proven  
15 yet. I mean, they sound like good ideas but how are  
16 the police supposed to judge whether it's 2'6" or  
17 3'4" because the police will still have a dilemma  
18 with enforcement.

19 I think a lot of the -- a lot of  
20 communities now are building multi-use trails to  
21 encourage people to -- to enjoy cycling as a  
22 recreation. I think -- and we've had this discussion  
23 a couple of times this week about the fact that  
24 people sometimes feel scared about going riding their  
25 bike in -- in towns and cities. Yet I think there's



1 a lot to be said about -- what is it called the 'mass  
2 of humanity'. If -- more people riding is going to  
3 make it safer because they feel more confident  
4 because more -- more cyclists are riding.

5                   And I think all these things are just  
6 being tried in many different places right now, and  
7 it's up to the cycling advocates to really research a  
8 good international practice.

9                   I mean, I can never fail to talk about  
10 the amount of cycling that goes on in places like  
11 Denmark and the Netherlands where people don't wear  
12 helmets, they get off their train on the way home and  
13 pick their bicycle up. They're dressed in their  
14 business clothes, and they just get on their bike and  
15 -- and ride home. And the bike has been parked there  
16 all day. And cycling issue -- cycling isn't an issue  
17 there, why is it an issue here? Oh, it's not  
18 cycling, the cycling collisions or the injuries.

19                   MS. CANDACE GRAMMOND: Thank you.  
20 Ms. Johnson, another reference to a topic raised in  
21 your report more in passing -- but on page 50 of your  
22 report your -- under Section 410 you're talking about  
23 programs that are ongoing and planned, continued to -  
24 - plan to be continued at MPI in terms of safety.  
25 And you say roughly in the middle of page 50:

1 "It is interesting to note that  
2 there are no plans for MPI to  
3 commission any studies on the  
4 impact of red light camera or photo  
5 radar."

6 We have talked about red light cameras  
7 in past proceedings here. Can you comment a little  
8 bit on if one were to study those what one would  
9 study and -- and what the result would be?

10 MS. MAVIS JOHNSON: Well, what I was  
11 thinking about, about all these community  
12 initiatives, is that, you know, I'm sure that many of  
13 them are doing -- are -- are programs that the  
14 communities are used to doing. But I was really  
15 surprised at what I call 'big ticket items'. Like  
16 red light cameras and intersection cameras and speed  
17 on green cameras, through all the research there's  
18 huge potential for the effectiveness from those  
19 programs.

20 And I would have thought that there  
21 would have been a role for MPI to review what are the  
22 safety benefits of these. Because if there is a  
23 positive safety benefit we should be encouraging the  
24 use of them in different places, in other places,  
25 additional places. And perhaps if there was seen to

1 be a benefit then MPI might see themselves as an  
2 investor in this. But until we know what the  
3 benefits are, we can't make a decision.

4

5

(BRIEF PAUSE)

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MS. CANDACE GRAMMOND: Thank you.

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Just a few questions then about the effectiveness of  
programs. I'll ask you to go to page 25 of your  
report. So page 25, this is in -- under the heading  
of, "Road Safety Advocacy, Promotion, and Publicity."  
So you say under the heading, "Recommendation," on  
page 25 near the bottom:

"MPI should continue to monitor the  
effectiveness of their media and  
advertising programs to ensure they  
are hitting the mark."

And if -- if I understand that comment  
in the context of all of your evidence, I think  
you're also saying that they shouldn't just be -- be  
monitoring the awareness of the public and the reach  
of their efforts. They should also be measuring  
behaviour in a before and after study.

Do I have that right?

MS. MAVIS JOHNSON: Yes, that's what

1 I mean.

2 MS. CANDACE GRAMMOND: And of course,  
3 one (1) of your other points that's stressed in your  
4 written report, and as well in your evidence today,  
5 is that there should always be an enforcement  
6 component accompanying an awareness campaign?

7 MS. MAVIS JOHNSON: Yes, that's  
8 correct.

9 MS. CANDACE GRAMMOND: Okay. Just a  
10 couple more questions. On page 26 of your report, if  
11 we just turn over the page, you say under the  
12 "Current Situation," the -- the italicized heading  
13 "Current Situation," on page 26, that as you've  
14 discussed in other sections of your report there  
15 seems to be little monitoring and evaluation of most  
16 of MPI's road safety programs, obviously with a  
17 couple of exceptions.

18 So just to be clear, is it your view  
19 that there needs to be better monitoring and  
20 evaluation of the existing programs, or that a more  
21 broad Road Safety Program needs to be established and  
22 that it needs to be monitored and evaluated?

23 MS. MAVIS JOHNSON: Well, I think it  
24 refers to both, because we need to know what -- what  
25 it -- what are we getting in return for our current

1 expense in road safety. And in developing the  
2 strategy, a -- a comprehensive integrated strategy,  
3 we need to be planning -- we need to be planning our  
4 target and the programs that we're going to do to  
5 reach those targets. So it's really both.

6 MS. CANDACE GRAMMOND: Thank you. If  
7 we go then to pages 51 and 52, we can start at 51 of  
8 your report, I just have a couple more questions.  
9 This is section 4.12 entitled "Summary of MPI Road  
10 Safety Programs." And at the bottom of page 51 you -  
11 - you say:

12 "It is vital that MPI examines its  
13 programs regularly asking..."

14 And then you list three (3) questions.  
15 So is it fair to say that for any existing or future  
16 programs, in your view, these are the three (3) most  
17 important questions that MPI should be asking itself?

18 MS. MAVIS JOHNSON: Yes. I -- I --  
19 perhaps there's another one as well, and that is: Is  
20 this -- is this initiative publically acceptable?  
21 And -- and perhaps I should have put that in too,  
22 because there's -- there is really no point in  
23 developing a program that the public has no interest  
24 in trying to support. And, in fact, red light  
25 cameras and intersection cameras, there was a lot of

1 public awareness that took place in many different  
2 places before they were introduced because these  
3 programs have to be publicly accepted.

4 MS. CANDACE GRAMMOND: So there has  
5 to be --

6 MS. MAVIS JOHNSON: So I would --  
7 yeah.

8 MS. CANDACE GRAMMOND: -- buy in?

9 MS. MAVIS JOHNSON: Yeah.

10 MS. CANDACE GRAMMOND: Thank you.

11 And just one (1) more question, Ms. Johnson. This  
12 arises from page 52 of your report, so just one (1)  
13 more page over. You say:

14 "MPI's road safety budget is  
15 inadequate to effectively address  
16 all the issues that they have  
17 identified."

18 Can you give us a sense of what you  
19 would expect would be an adequate budget to make a  
20 meaningful difference in claims, frequency, and  
21 severity?

22 MS. MAVIS JOHNSON: Sorry, I'm just  
23 mis -- I can't just see where you --

24 MS. CANDACE GRAMMOND: Sorry, bottom  
25 of page 52, the --

1 MS. MAVIS JOHNSON: Fifty-two, oh  
2 yes.

3 MS. CANDACE GRAMMOND: Yeah.

4 MS. MAVIS JOHNSON: Road Safety  
5 Budget.

6 MS. CANDACE GRAMMOND: Yeah.

7 MS. MAVIS JOHNSON: And your question  
8 was? I'm sorry, repeat it.

9 MS. CANDACE GRAMMOND: My question is  
10 if the existing budget is inadequate to effectively  
11 address all of the issues, what do you think an  
12 adequate budget would be to -- to really see a change  
13 in claims severity and frequency?

14 MS. MAVIS JOHNSON: I really couldn't  
15 put a number on it because I haven't delved enough  
16 into what are the real issues that we should be  
17 focussing on, what are the types of interventions  
18 that will need to brought to fix this, what are the  
19 potential returns on the investments from those  
20 interventions, and that's probably about it.

21 I would need to know all of those  
22 things before I could give you -- I mean, the sky is  
23 the limit really. If the budget was a hundred  
24 million dollars and it was being wasted, it would be  
25 of no value. But \$5 million in the right direction

1 can go a long way.

2 MS. CANDACE GRAMMOND: Thank you. So  
3 it's more about the quality as opposed to the  
4 quantity?

5 MS. MAVIS JOHNSON: And doing the  
6 research. So much time has to be spent implying  
7 (sic) road safety programs. And -- and I try in all  
8 the work I do with provinces and countries is put the  
9 time into planning.

10 It's like, who was it, work your --  
11 plan your work and work your plan. You got to plan  
12 what you're going to do, and then follow -- follow it  
13 through. Once you've done all the planning, the  
14 actual implementation is somewhat easier, but it's  
15 not a step you can skim over.

16 MS. CANDACE GRAMMOND: Thank you.  
17 Madam -- oh, those are my questions, Madam Chair. I  
18 think the chairman has some questions.

19 MR. REGIS GOSSELIN: My -- my  
20 questions are related to the -- the last questions  
21 that Ms. Grammond addressed to you. And,  
22 specifically, have you -- are you in a position to  
23 comment upon the relative percentage of MPIC's road  
24 safety expenditures as a percentage of its operating  
25 expenditures?



1                   And I'm looking -- I'm thinking  
2 specifically of ICBC, for example, or the -- the  
3 automobile insuring Quebec SAAQ. Are you in a  
4 position to comment on the relative percentage?

5                   MS. MAVIS JOHNSON: I'm no -- I'm not  
6 because I don't have those numbers at my fingertips.  
7 But I do know that certainly when I was at ICBC,  
8 ICBC's investment in road safety was 3 percent of its  
9 operating budget. And at the time, that was in line  
10 with the TAC in the state of Victoria.

11                   But things have changed over time.  
12 But I still believe it's a significant con --  
13 contribution out of the operating budget.

14                   MR. REGIS GOSSELIN: With respect to  
15 the -- the model program that you mentioned, the TAC  
16 program out of Australia, what's the percentage of  
17 that program?

18                   MS. MAVIS JOHNSON: That's 3 percent,  
19 as well.

20                   MR. REGIS GOSSELIN: Three percent,  
21 as well. Is that the relative standard that's used  
22 in other jurisdictions beyond the ones in Canada we  
23 just talked about and in Australia, in -- in terms of  
24 Europe?

25                   MS. MAVIS JOHNSON: Well, I think

1 certainly between -- between 1 and 3 percent. There  
2 was a study done back in 2001 in the UK about the  
3 role of auto insurance in -- in six (6) countries,  
4 three (3) low and middle income countries, and three  
5 (3) high -- high income countries. And the high  
6 income countries were the TAC in Victoria, ICBC, and  
7 -- I'm sorry, I've just forgotten the other one, but  
8 they were all between 2 and 3 percent investment out  
9 of their opera -- total operating budget.

10 Now, actually, if I could add a  
11 comment to that, as well. This only relates to  
12 government insurance companies because when you talk  
13 about the private competitive insurance company, that  
14 might be quite different because they would see it  
15 differently.

16 State Farm insurance is actually, as  
17 it does its road safety investments, it fully  
18 realizes that they don't have the whole of the market  
19 share. And so their investment in road safety is  
20 significantly less, but it's still a good  
21 contribution.

22 THE CHAIRPERSON: Okay. Thank you.  
23 Mr. Oakes, do you have some questions?

24 MR. RAYMOND OAKES: Certainly, Madam  
25 Chairperson.

1 CROSS-EXAMINATION BY MR. RAYMOND OAKES:

2 MR. RAYMOND OAKES: Ms. Johnson, you  
3 were here yesterday when the witnesses -- I think you  
4 referred to them as those chaps from the States, were  
5 present, and we had --

6 MS. MAVIS JOHNSON: I'm British.

7 MR. RAYMOND OAKES: -- we had a  
8 discussion about the fact that, in their opinion, an  
9 insurer must have a goal for claims reduction in its  
10 road safety programming, and it must be a measurable  
11 goal.

12 I understand your report agreed with  
13 that. Is that correct?

14 MS. MAVIS JOHNSON: yes, I agree.

15 MR. RAYMOND OAKES: And you were  
16 present yesterday when I referred your client's  
17 interrogatories, CAC/MPI 1-51 which the Corporation  
18 stated:

19 "The Corporation is not in a  
20 position to measure actual claims  
21 incurred reductions as a direct  
22 result of its road safety awareness  
23 campaigns."

24 Do you recall that?

25 MS. MAVIS JOHNSON: Yes, I do.

1 MR. RAYMOND OAKES: And so you would  
2 agree with me that that response is deficient?

3 MS. MAVIS JOHNSON: I guess  
4 unacceptable.

5 MR. RAYMOND OAKES: And similarly I  
6 asked questions about hot mapping. Now, I think you  
7 referred to that as the black dot?

8 MS. MAVIS JOHNSON: Black spot.

9 MR. RAYMOND OAKES: Black spot.  
10 Thank you. And I referred to the request that CMMG  
11 made to MPI to produce a hot mapping of motorcycle  
12 collisions in Manitoba, which was done and responded  
13 to as an Information Request, and the Corporation had  
14 further indicated in an Information Request that they  
15 had made no use of that type of hot mapping, nor did  
16 they intend on making use of that.

17 Would you agree with me that that  
18 response would be deficient?

19 MS. MAVIS JOHNSON: I think I said in  
20 -- in one (1) of the Information Requests that we  
21 have to really look at where our priorities are,  
22 where and what type of vehicles are being involved in  
23 collisions. And when we look at the amount or  
24 percentage of pedestrians, cyclists, and  
25 motorcyclists that are involved in -- in collisions,

1 that they are a relative low pri -- low percentage.  
2 And so I have to say that it doesn't mean to say that  
3 they should be ignored totally, but we need to find  
4 perhaps another way of addressing those -- those  
5 collisions that are involving motorcyclists or  
6 pedestrians or cyclists.

7                   And so, again, if IC -- if MPI are  
8 going to -- whatever they decide to do as their  
9 priorities, there will be some things that are going  
10 to fall off the table. And the challenge will be to  
11 find those agencies that are able to address the  
12 programs that are going to fall off, whether it's  
13 going to be inst -- infrastructure improvements or  
14 whether it's going to be some behaviour, is it  
15 impaired driving, are motorcyclists involved? I  
16 don't know enough about the data to actually say  
17 that.

18                   But technically those three (3)  
19 classes of road users still are lower percentage of  
20 all vehicles involved in crashes. So it's not  
21 technically wrong to say that.

22                   MR. RAYMOND OAKES: I'll ask you  
23 whether it should be a priority of the Corporation to  
24 deal with safety strategies for vulnerable road  
25 users.

1 MS. MAVIS JOHNSON: Yes. But those  
2 vulnerable road users would -- if MPI or the Province  
3 of Manitoba moves to a comprehensive safe -- Safe  
4 System Approach, vulnerable road users would get  
5 special attention through how our roads are -- the  
6 speed limits are set, how our roads are designed to  
7 be more forgiving. And so vulnerable road users  
8 would be a -- a market that would -- their -- their  
9 presence on the road would be safer if it was part of  
10 a Safe System Approach than what it is right now.

11 MR. RAYMOND OAKES: I'm just going to  
12 get back to the hot mapping at intersections for a  
13 second. And the response of MPI related to that  
14 indicated that they didn't feel that they are  
15 responsible for safety at intersections, that that  
16 was more properly someone else's jurisdiction. Would  
17 you agree with me as part of the overall safe system  
18 that you put forward, that a monopoly insurer might  
19 very well be involved in safety at intersections?

20 MS. MAVIS JOHNSON: Again, it comes -  
21 - comes down to where the collisions are occurring,  
22 at which locations. The Safe System Approach would  
23 be all-encompassing. It would urban roads as well as  
24 -- as rural roads.

25 But I -- I'm just going to refer to

1 something I think I've mentioned three (3) or four  
2 (4) times today, is that MPI is the one (1) agency  
3 that actually -- where road traffic collisions and  
4 casualties from road traffic collisions actually  
5 impact their bottom line. And so MPI should be  
6 interested in how its money is being expended. And  
7 perhaps there might be a role for it to be involved  
8 in the planning and design of safer intersections  
9 because, by that, there would be fewer collisions.

10 So I think they do -- they have an  
11 interest in every type of collision that occurs in  
12 this province.

13 MR. RAYMOND OAKES: Thank you for  
14 that. I understand what you're saying with respect  
15 to vulnerable road users and the -- the fact that we  
16 have to look at the dollars involved. If I tell you  
17 -- and you probably already know because it's  
18 evidence in this hearing -- but we have roughly a \$30  
19 million a year wildlife collision problem in  
20 Manitoba. Would the fact that -- and together with  
21 that, we -- a Manitoban loses his life every two (2)  
22 years with respect of wildlife collisions.

23 Would that suggest to you a need for a  
24 comprehensive strategy by MPI to deal with wildlife?

25 MS. MAVIS JOHNSON: Well, again, it's

1 -- it's not certainly in the -- in the high order of  
2 priorities, but there is something to be said, by  
3 changing behaviour and slowing drivers down, that we  
4 can prevent some of the road vehicle -- wildlife  
5 vehicle collisions that occur. So you can get to  
6 reducing wildlife collisions through another method  
7 that might be a priority for MPI, which might be to  
8 reduce the average speed of vehicles across the  
9 province.

10                   The challenge with vehicle-wildlife  
11 collisions is: What is it we're going to do?  
12 Because in all -- right back in my work in -- in the  
13 late 1980s in BC through Alberta, I advised the  
14 infrastructure committee of Alberta Transportation,  
15 who have done extensive studies about wildlife  
16 collisions, is there is no obvious countermeasures  
17 that work. That's one (1) of the biggest challenges.

18                   Wildlife fencing is -- is very  
19 expensive. It has been used in some of the places in  
20 Parks Canada because it is -- it is significant, but  
21 it's very, very costly. And so you need to look at  
22 what are costs and benefits of spending time and --  
23 and resources on something that you may or may not be  
24 able to actually have an impact on.

25                   The Swareflex roadside reflectors



1 showed very good promise. Certainly all the  
2 literature talked about how the -- how useful these  
3 would be. But we did some very, very solid surveys  
4 with some volunteers, putting bags on the Swarflex  
5 reflectors to make sure that -- that it was a solid  
6 survey, but we really never realized any definitive  
7 benefits from doing this.

8                   So until somebody -- and there were  
9 many, many people working on this. They have a -- a  
10 group at the University of Northern British Columbia  
11 in Prince George, they're focussed wholly on wildlife  
12 migration issues and how they're crossing roads. And  
13 -- and there are people in the States, in other  
14 states, that -- universities that are -- that are  
15 working on these issues, too. So there are lots of  
16 people working on these issues, but it's -- it's  
17 still very difficult to grapple with -- with the  
18 issue.

19                   And just to point out, this wildlife  
20 committee that I had in -- in the East Kootenays out  
21 of Cranbrook, we used to meet at the Kootenay  
22 National Park office. And I was leaving Cranbrook  
23 one morning just as it was coming light, and a deer  
24 jumped straight out from the side. It was just like  
25 this -- the leaping stag sign, straight into my car.

1 There was no way anything I could have done to  
2 prevent that myself.

3                   So that's what we -- I mean, we're  
4 talking about -- first of all, collisions are rare  
5 and random events, and then we're talking about the  
6 unpredictability of the wildlife that's on the road.  
7 So together they're rather a confusing dilemma.

8                   MR. RAYMOND OAKES: I appreciate it's  
9 a difficult area. All the more reason that there  
10 should be a strategy. Isn't that correct?

11                   MS. MAVIS JOHNSON: Well, not a  
12 strategy, because we don't know what to do yet, but  
13 perhaps research, keeping our eye on the research,  
14 ensuring that somebody is -- is looking at what's --  
15 looking at -- you know, 'promising practice' I think  
16 is one (1) of the words I heard yesterday. We might  
17 not be able to have evidence-based yet, but we might  
18 be able to get some promising practice.

19                   But having people keeping an eye on  
20 that promising practice I think is what's important.  
21 We really can't develop a strategy right now because  
22 we don't know what to do that's going to -- and  
23 what's -- what are we going to do that's going to --  
24 to have an impact on -- on the collisions.

25                   MR. RAYMOND OAKES: So it'd be your

1 testimony that MPI should have access to wildlife  
2 experts and be actively doing research in that area?

3 MS. MAVIS JOHNSON: Yes, I think  
4 that's a good use of their time.

5 MR. RAYMOND OAKES: Now, let's talk  
6 about the cost benefit analysis. And that includes  
7 not only the physical damage and the bodily injury  
8 component of losses, but also the social costs of  
9 crashes.

10 Is that correct?

11 MS. MAVIS JOHNSON: M-hm. Yes.

12 MR. RAYMOND OAKES: And so then if we  
13 ask MPI to look at the cost of fencing along Highway  
14 59 near Birds Hill for wildlife intervention. And  
15 they say that it would take more than fifteen (15)  
16 years in terms of savings in those insurance losses  
17 to pay for it, and, therefore, it's not a positive  
18 cost benefit analysis.

19 Is it possible that they're missing a  
20 significant part of the equation?

21 MS. MAVIS JOHNSON: I probably can't  
22 comment on that because I don't -- even from what  
23 I've learned about MPI in the time I've been working  
24 on this, I don't have a clear understanding of how  
25 much the average fatality, serious injury, minor

1 injury, or property damage collision costs. So I, at  
2 this stage, could not undertake a benefit cost  
3 analysis about anything in this province.

4 MR. RAYMOND OAKES: But you'll agree  
5 with me that, based on what you said about what  
6 should constitute a cost benefit analysis, that in  
7 performing that, they should clearly calculate or  
8 estimate the social costs of those crashes, not just  
9 the insurance losses?

10 MS. MAVIS JOHNSON: That's a little  
11 bit of a trickier question because if ICB -- sorry,  
12 I'm sorry about that. If MPI are going to invest the  
13 money, then the payback to MPI -- the benefit cost  
14 analysis should only be based on what they're willing  
15 to contribute.

16 And if I could give an example here of  
17 -- of ICBC's Road Improvement Program. The Ministry  
18 of Transportation might be investing in a \$5 million  
19 road improvement project, road infrastructure, big  
20 infrastructure improvement, widening a narrow bridge,  
21 a lot of money, but the safety component of that job,  
22 of that piece of work, is -- is a small amount.

23 Now, ICBC has safety engineers that  
24 can determine what are the safety benefits of that  
25 road improvement. And if they say the safety

1 benefits are that we are going -- can get a return on  
2 our investment by investing a hundred thousand  
3 dollars, then that's all ICBC would invest, is a  
4 hundred thousand dollars, because we ICBC would never  
5 invest in a project that's not going to meet its  
6 demanded return on investment. And it's very  
7 structured in that. There's a measurement -- a  
8 monitoring committee that approves all of these types  
9 of investments.

10                   So road infrastructure projects have  
11 many benefits, of which one (1) is safety. And it's  
12 really important that auto-insurance money is  
13 invested to improve the safety of a particular  
14 facility. And so in only using MPI's costs, that's  
15 what they should use. They should not be -- the  
16 benefit then is we still get the benefit. We get the  
17 whole benefit, but we don't use social costs of  
18 crashes in which to determine that benefit cost  
19 analysis.

20                   MR. RAYMOND OAKES: I thank you for  
21 that answer. Given the time and the fact that we  
22 still have to hear from MPI, I could certainly close  
23 my cross-examination at this point.

24                   THE CHAIRPERSON: Okay. Thank you,  
25 Mr. Oakes. Mr. Gosselin...?

1 MR. REGIS GOSSELIN: I do have some  
2 questions. I want to explore that area more  
3 thoroughly, because you did indicate, I believe in  
4 your earlier testimony, that social costs are a  
5 factor that needs to be considered. And so I'm  
6 trying to reconcile --

7 MS. MAVIS JOHNSON: Oh, yeah, well  
8 they are for -- for projects, but it doesn't mean to  
9 say -- but if MPI is investing money that is the --  
10 the amount they invest is based on how many claims,  
11 or the cost of claims that they can reduce by this  
12 measure, whatever it is. But generally when we're  
13 talking about collision improveme -- collisions  
14 improvements as a whole, we should not -- and I'm  
15 talking about Manitoba as a province, should look at  
16 the social costs of crashes. But for MPI's  
17 investment it should only be based on what it is  
18 they're investing in that project.

19 Could I give you an example? Could I  
20 -- would it be easier with an example? If an  
21 intersection is going to -- is a four (4) way stop  
22 and it's going to made into a signalized  
23 intersection, the cost of that investment might be  
24 \$250,000. ICBC looks at how many -- based on past  
25 and future predictions, how many collisions are going

1 to be prevented because of the light being there  
2 rather than the four (4) way stop.

3                   And the safety engineers determine  
4 what the -- that amount is and how many claims are  
5 going to be saved. So that's the basis for which  
6 ICBC looks at its investment. And so it may only  
7 invest fifty thousand dollars (\$50,000), which is  
8 really only one (1) injury claim. We only have to  
9 prevent one (1) injury claim, we get our money back.

10                   So that's why it's -- we need safe --  
11 safety engineers with specialist analysis to be able  
12 to do these types of evaluations. Now, the  
13 municipality might want to improve the signals for  
14 better mobility and capacity and many other reasons,  
15 but we're only interested in the safety benefit.

16                   MR. REGIS GOSSELIN: With respect to  
17 an earlier piece of evidence that you -- we  
18 discussed, which was the issue of the motorcycle levy  
19 that's used by TAC, can you explain why they're using  
20 that method for addressing safety by motorcyclists as  
21 opposed to the method that MPIC is using which is,  
22 you know, it's one (1) of the costs that's absorbed  
23 by the entire Corporation?

24                   MS. MAVIS JOHNSON: Well, I guess,  
25 and I -- I never have had this philosophical

1 discussion with them, but I guess we are talking  
2 about -- first of all, I know that a lot of that  
3 money was spent on one (1) particular location. They  
4 have a big motorcycle road race in Melbourne. And  
5 many thousands of motorcycle riders ride there from  
6 Sidney, Australia. And a lot of the investment was  
7 going to go into that road. It was a very unsafe  
8 road.

9                   And so they -- it's a little bit like  
10 a toll highway. Toll highways only toll those people  
11 who use it. And so the idea was these motorcyclists  
12 that using these facilities should perhaps pay a bit  
13 more, because these safety features that have been  
14 introduced are for the benefit of motorcyclists, not  
15 for the benefit of the whole population.

16                   MR. REGIS GOSSELIN: Now, in terms of  
17 the jurisdictions in Europe which are banning  
18 motorcyclists from -- or at least they're -- they're  
19 thinking of banning motorcyclists from certain roads,  
20 what kind of roads are we talking about that -- that  
21 would cause them to ban motorcyclists from using?

22                   MS. MAVIS JOHNSON: Well, one (1) of  
23 -- one (1) of the particular -- one (1) particular  
24 intervention that's been doing all -- doing all  
25 around Sweden is making what are called two (2) plus



1 one (1) roads, two (2) lanes in one (1) direction and  
2 one (1) lane in the other direction. A little bit  
3 like our climbing and passing lanes here. So they  
4 are doing that because they have shown that the  
5 benefit of having those is safer than anything.

6 But -- but the types of roads they're  
7 doing these on are -- are windy and hilly roads. And  
8 I suspect that they're probably still having some  
9 difficulty in reducing the frequency of motorcycle --  
10 or the potential for motorcycle fatalities on those  
11 roads.

12 THE CHAIRPERSON: Ms. Peters, did you  
13 have any questions?

14 MS. LIZ PETERS: No questions, thank  
15 you.

16 THE CHAIRPERSON: Okay. Then we'll  
17 go over to Mr. Triggs.

18 MR. MICHAEL TRIGGS: Thank you, Madam  
19 Chair. I don't have very many questions, so we  
20 should hopefully be done very soon.

21 MR. BYRON WILLIAMS: Just -- just for  
22 Mr. Triggs's benefit, Ms. Johnson is available.  
23 We've changed her flight, so we'll certainly make  
24 her available for as long as -- today as you would  
25 like, and you'll speak to us if you require her

1 again.

2 MR. MICHAEL TRIGGS: Actually, could  
3 we have just a five (5) minute break before we  
4 commence?

5 THE CHAIRPERSON: Yes. That's fine.

6 MR. MICHAEL TRIGGS: Thank you.

7 THE CHAIRPERSON: Thank you.

8 MR. MICHAEL TRIGGS: Thank you.

9

10 --- Upon recessing at 4:34 p.m.

11 --- Upon resuming at 4:41 p.m.

12

13 THE CHAIRPERSON: Okay. Thank you.

14 Back to MPI, and Mr. Triggs.

15 MR. MICHAEL TRIGGS: Thank you, Madam

16 Chair.

17

18 CROSS-EXAMINATION BY MR. MICHAEL TRIGGS:

19 MR. MICHAEL TRIGGS: Ms. Johnson,  
20 today you have spent a lot of time talking about the  
21 Safe System Approach, and you've also spoken some  
22 time talking about MPI's programs, it's road safety  
23 programs. Some of your comments about MPI's programs  
24 are positive; others, there's some criticism to that.

25 Is that fair?

1 MS. MAVIS JOHNSON: Yes.

2 MR. MICHAEL TRIGGS: Okay. I'll go  
3 to page 6 of your report, and I'll just read this for  
4 you. It says there:

5 "Please note that this report does  
6 not constitute a formal review  
7 evaluation of MPI's road safety  
8 programs due to the time  
9 limitations. It merely reflects  
10 the views of the author based on  
11 reading many research documents and  
12 papers related to MPI's programs."

13 Is that correct?

14 MS. MAVIS JOHNSON: Yes, it is.

15 MR. MICHAEL TRIGGS: Thank you. You  
16 spoke of one (1) of MPI's programs, the -- its major  
17 program, 40 percent of its budget on road safety, is  
18 the high school driver education. And your major  
19 recommendation for that was that MPI should conduct a  
20 summative evaluation to determine whether or not it's  
21 actually accomplishing anything.

22 Is that correct?

23 MS. MAVIS JOHNSON: Yes.

24 MR. MICHAEL TRIGGS: I'd like to draw  
25 your attention -- this would be in SM-5, the road

1 safety. And you probably don't have the -- the  
2 document, Volume I. It's on page 23.

3

4 (BRIEF PAUSE)

5

6 MR. BYRON WILLIAMS: We don't -- we  
7 don't have it. I'm assuming you're going to be  
8 referring --

9 MR. MICHAEL TRIGGS: Yes.

10 MR. BYRON WILLIAMS: -- to the  
11 intermediate summative evaluation? Sure. If Ms.  
12 Kalinowsky could help me out that would be great.

13

14 CONTINUED BY MR. MICHAEL TRIGGS:

15 MR. MICHAEL TRIGGS: I'll read the --  
16 the whole paragraph, beginning with:

17 "In addition to specific program  
18 evaluation, the Corporation engaged  
19 Northport and Associates on a  
20 formative evaluation of the high  
21 school driver education program.

22 This evaluation assisted the  
23 Corporation in making continuous  
24 improvement to the current program,  
25 including improved instructor

1 support and professional  
2 development, curriculum  
3 enhancements, and approaches in  
4 working with parents and  
5 guardians."

6 The key part is:

7 "Over the same period, we also  
8 participated in a multi-  
9 jurisdictional summative evaluation  
10 which should be completed in 2013.  
11 We expect this report to provide a  
12 perspective on our program compared  
13 to others and best practices."

14 So it appears that we have addressed  
15 your concerns that you had about there being a  
16 summative evaluation.

17 Is that correct?

18 MS. MAVIS JOHNSON: Yes. I just  
19 haven't seen it.

20 MR. MICHAEL TRIGGS: Okay.

21 MR. BYRON WILLIAMS: If I could just  
22 interject for a moment, Mr. Triggs, I think it would  
23 be helpful if MPI could indicate -- because I think  
24 the record of this hearing shows that it's an  
25 intermediate summative evaluation as opposed to an

1 outcome summative evaluation. So that would be an  
2 important distinction that -- that you would want to  
3 -- to be putting to the witness.

4

5

(BRIEF PAUSE)

6

7 MR. MICHAEL TRIGGS: Mr. Williams,  
8 just for the record, I believe we have not received a  
9 summative evaluation yet and we expect to receive it  
10 this year.

11 MR. BYRON WILLIAMS: That's not my --  
12 my point, Mr. Triggs. I believe you have a  
13 definitional challenge. And -- and this is just what  
14 I want to be clear of. If -- if you're going to  
15 describe the report that's coming out next year, if  
16 you -- if MPI is suggesting it is going to be  
17 evaluating its -- its -- the performance of drivers  
18 education students against nonparticipants in the  
19 program, that would be the definition that Ms.  
20 Johnson is using.

21 As -- as I understand the intermediate  
22 report, the intermediate summative eva -- evaluation  
23 that is coming out from Lonero and Associates in  
24 2013, that will be looking not at outcome in terms of  
25 reduced collisions. It will be looking at outputs in

1 terms of behavioural changes.

2                   And I just want to be clear that the  
3 distinction is made between those two (2) types of  
4 summative eva -- evaluations.

5                   MR. MICHAEL TRIGGS:   Mr. Williams, I  
6 think we have a disagreement on this point.  And I'll  
7 guess I'll just have to address that later.

8

9 CONTINUED BY MR. MICHAEL TRIGGS:

10                   MR. MICHAEL TRIGGS:   Now, Ms.  
11 Johnson, one (1) of the areas that you actually gave  
12 a fair bit of praise to MPI was that -- and related  
13 to its auto crime program.  I believe you said it has  
14 a structured program with a strong cost-benefit  
15 analysis.  And you said we've done a good job on that  
16 particular program, which represents about 26 percent  
17 of our road safety budget.

18                   Is that correct?

19                   MS. MAVIS JOHNSON:   Yes.

20                   MR. MICHAEL TRIGGS:   So what is  
21 really remaining in our road safety budget is 35  
22 percent of our budget, which is approximately \$3.5  
23 million.  And if I can sum up your recommendations,  
24 is it that it might be worth our effort to refocus  
25 our work and to do a better job doing -- monitoring

1 evaluations.

2 Is that fair?

3 MS. MAVIS JOHNSON: I think re -- re-  
4 focussing our work is -- is a big catch-all, that  
5 means a lot of things. I think my first  
6 recommendation is to look at the programs that are  
7 currently underway and looking at either demonstrated  
8 returns on those investments and whatever programs  
9 they are, first of all. And is the amount of  
10 investment in those other two (2) programs, those  
11 major programs, still valid.

12 My understanding is that auto crime  
13 has been significantly reduced. So it necessary  
14 still to maintain a \$2.9 million budget in auto  
15 crime? Is it necessary to fund the -- the traffic  
16 person in the police department? Should it be --  
17 because I think there are different ways of funding  
18 things. One (1) is getting programs started, and  
19 then handing them over to somebody who's responsible  
20 for managing them.

21 And, you know, perhaps in -- you --  
22 you might need to review whether it's time now. And  
23 this is a Winnipeg police program or whoever's  
24 program it is because you -- you've had your  
25 investment, you've had your investment, you've had



1 your return on the investment, so what is to be --  
2 what is to be gained now by investing \$3 million  
3 more. You know it's just a case of, in my opinion,  
4 looking at how is this money being spent. Yeah, the  
5 budget is only \$11 million. How do we get the  
6 biggest bang for that buck?

7 MR. MICHAEL TRIGGS: Thank you.  
8 Throughout your discussions about the Safe System  
9 Approach, you emphasize the importance of leadership,  
10 direction from the top. I believe when you referred  
11 to what's been adopted on a national level that the  
12 equivalent to the prime minister has to be the  
13 champion. When it's been adopted on the equivalent  
14 of a provincial level the champion has to be the  
15 premier.

16 Is that fair?

17 MS. MAVIS JOHNSON: Yeah, that's what  
18 -- what I said.

19 MR. MICHAEL TRIGGS: Yes. Do you  
20 think that MPI has the authority to appoint itself as  
21 the leader?

22 MS. MAVIS JOHNSON: No, I don't  
23 believe anybody has the ability to elect themselves  
24 as leaders. Leaders are elected by the other  
25 partners. But there's no reason why the Province of

1 Manitoba can't get itself together and make a  
2 recommendation to government about the importance of  
3 road safety. And this is what road safety should  
4 look like in Manitoba. And these are the players.  
5 And this is who is going to do this and do that. And  
6 take a formal recommendation to government in  
7 something like the premier's task force on road  
8 safety or whatever. So the partners do it. I don't  
9 think anybody elects themselves as a leader.

10 MR. MICHAEL TRIGGS: Thank you, Ms.  
11 Johnson. That concludes our questions.

12 MS. MAVIS JOHNSON: Thank you.

13 THE CHAIRPERSON: Excuse me, Ms.  
14 Neville just wants to follow up with a question.

15 MS. ANITA NEVILLE: Thank you. And  
16 thank you very much for your very comprehensive  
17 presentation this afternoon.

18 I want to follow up on Mr. Triggs's  
19 question. You spoke about the various components of  
20 a Safe System Approach to safety. And sometimes a  
21 Safe System Approach as you described it, happens  
22 incrementally, and Mr. Triggs talked about  
23 leadership. What would be your recommendation or can  
24 you expand on what you've just said in terms of how  
25 here in Manitoba we could make happen a Safe System

1 Approach to traffic safety in this province?

2 Do -- does somebody here go to the --  
3 to the premier and say this needs to be done? Is it  
4 up to MPI to take a lead? Is it up to some of the  
5 other bodies to do it? How do we make it happen and  
6 how do we make it happen effectively in Manitoba?

7 MS. MAVIS JOHNSON: Well, the first  
8 thing I think is to get the -- the key partners  
9 together, because I have no doubt that the Ministry  
10 of Infrastructure and Transportation sits in its  
11 offices determining what it's going to do in road  
12 engineering. And the Ministry of Health sit and  
13 wonder how they're going to manage with their budgets  
14 which -- and people are being involved in traffic  
15 crashes and using our budget.

16 The police -- Ministry of Justice,  
17 Attorney General, are thinking about -- you know, we  
18 spend all this money in -- in enforcement, are we  
19 getting the best bang for the buck. Ultimately,  
20 somebody has to take the lead to organize a  
21 discussion on traffic safety.

22 It's nice if you can find a cabinet  
23 minister that has a keen interest in the topic. And  
24 it's amazing where those might come from. It might  
25 be somebody who lost a relative in a traffic crash.

1 It might be somebody who has just had other firsthand  
2 experience of this and to them it's a personal issue.  
3 But for all our elected politicians traffic safety  
4 should be an important priority. Because if they're  
5 looking for votes from people they need to get votes  
6 from people who are living not people who have been  
7 killed in traffic crashes.

8                   So we need to get this whole issue of  
9 road safety ramped up through advocacy, through  
10 people talking to people. Through MPI's minister.  
11 Through the Ministry of Transportation's minister.  
12 Ministry of Health, Justice, and all these people,  
13 for their staff, their key staff members, to come  
14 together and then start to spread the word. This  
15 isn't going to happen overnight. It's probably going  
16 to be ten (10) years before we can actually develop a  
17 safe-system approach. But you don't wait for ten  
18 (10) years until all the -- all the pieces are in --  
19 the ducks are in the row before you start something.

20                   You look at where you want to be in  
21 ten (10) years and think, So out of that, what can we  
22 do this year, and next year, and the year after that.  
23 And so it starts with people talking together. And  
24 often that's huge, breaking down the silos of people  
25 who are doing what they've always done can be -- can

1 be challenging for them, because they feel threatened  
2 that somebody else is going to come in and -- and  
3 perhaps take over.

4                   But to me the first thing really is to  
5 get people talking around the table. Many start off  
6 with a few key stakeholders, expand it then to other  
7 stakeholders that have a key interest. But there are  
8 some key people involved in road safety in this  
9 province and they need to talk to each other, and  
10 talk about what they can possibly do, and -- and get  
11 a report or a proposal about what road safety might  
12 look like in this province.

13                   MS. ANITA NEVILLE: Thank you. Thank  
14 you very much.

15                   THE CHAIRPERSON: Okay. Did you --

16                   MS. CANDACE GRAMMOND: I would just  
17 ask if Mr. Williams has any re-direct.

18                   THE CHAIRPERSON: Just a moment. Ms.  
19 Reichert, did -- were you? Okay. Sorry. Sorry, Mr.  
20 Williams.

21                   MR. BYRON WILLIAMS: I have no re-  
22 direct. I did just want to make an offer to the  
23 Panel which they can decline if they're not  
24 interested. There were a couple questions posed by  
25 the Panel; one (1) was on research into seasonal

1 speed limits related to wildlife and there was  
2 reference to work done in Europe and Alberta.

3                   And so one (1) of my questions is:  
4 Would the Panel appreciate a bit more information on  
5 that subject? And then the second one, just while  
6 I'm on it is, a second question posed by the Panel  
7 was in terms of the commitment of public mon --  
8 monopolies in terms of a percentage of their budget.  
9 And Ms. Johnson referenced a 2001 study.

10                   So we're not going to go out and grab  
11 it unless the Panel is interested, but unless Ms. --  
12 Ms. Johnson gives me a dirty look right now, we could  
13 -- we would certainly be prepared, if the Panel  
14 wanted a bit more information, to provide that to  
15 them.

16                   MR. REGIS GOSSELIN: I would say both  
17 of those would be something that I would like to  
18 read.

19                   MR. BYRON WILLIAMS: By way of  
20 undertaking to the -- for the court reporter, Ms.  
21 Johnson will be -- will -- will take a look to see if  
22 there is published information relating to wildlife  
23 and seasonal speed limits, specifically as she  
24 referenced relating to Europe, or I believe, northern  
25 Alberta.

1                   And then secondly, Ms. Johnson is --  
2     assuming that it's available, is undertaking to  
3     provide the review from 2001 that addressed the  
4     relative contribution of public auto insurers in  
5     wealthy count -- countries, and then also looked at  
6     the role of auto insurance in -- in some -- some  
7     different countries. I think there were six (6)  
8     countries examined.

9                   If that's satisfactory to the Board?

10                  MR. REGIS GOSSELIN: More recent data  
11     than 2001 would be useful if that -- if that's  
12     available. If -- if --

13                  MR. BYRON WILLIAMS: So we're --  
14     we're updating that to see if -- we'll provide that  
15     study. And if there is readily available information  
16     relating to the contribution of public auto insurers,  
17     we'll undertake to provide that.

18                  Mr. -- Madam Chair, and members of the  
19     Panel, if -- if we become concerned that it's cost  
20     prohibitive to identify it, we'll report back to the  
21     Board.

22                  THE CHAIRPERSON: Okay. Thank you  
23     very much.

24

25     --- UNDERTAKING NO. 43: Ms. Johnson will indicate

1 if there is published  
2 information relating to  
3 wildlife and seasonal  
4 speed limits,  
5 specifically relating to  
6 Europe, or Northern  
7 Alberta; secondly, if  
8 available, provide the  
9 2001 review 2001 that  
10 addressed the relative  
11 contribution of public  
12 auto insurers in wealthy  
13 countries, and the role  
14 of auto insurance in  
15 different countries; and  
16 to provide any available  
17 information relating to  
18 the contribution of  
19 public auto insurers  
20

21 MS. KATHY KALINOWSKY: Yes, we do  
22 have one (1) undertaking that is still outstanding  
23 and Ms. Reichert is prepared to speak to it. It  
24 relates to AOCI and it's a question that Mr. Gosselin  
25 asked.



1                   So with that, Ms. Reichert, can you  
2 please put that on the record?

3                   MS. HEATHER REICHERT:    The question  
4 yesterday was:  What is the Basic assurance  
5 accumulated other comprehensive income as at August  
6 31st, 2013.

7                   And the amount is fifty-two million,  
8 nine hundred and seventy-six thousand (52,976,000).

9

10   (BRIEF PAUSE)

11

12                   MS. CANDACE GRAMMOND:    I just have a  
13 comment, Madam Chair, and that is I do have a little  
14 bit more cross-examination for the MPI panel that  
15 arises from some of the undertakings that were filed  
16 yesterday.  So obviously I won't be conducting that  
17 now.  But what I would suggest is, when we reconvene  
18 on Tuesday morning at 9:30, that I lead off with  
19 that.  It's probably half an hour or so of cross-  
20 examination.

21                   And then I think we may be otherwise  
22 finished the evidentiary portion.  I don't know if  
23 Mr. Williams may have more cross for the panel on the  
24 -- flowing from any undertakings.  He can advise.  If  
25 Mr. Oakes has any, I'm sure he can knock it off

1 fairly quickly on Tuesday morning.

2                   So I think the plan would be to finish  
3 all of that follow-up cross on undertakings first  
4 thing Monday (sic), then I can present my closing  
5 remarks. Then Mr. Oakes will go next, pursuant to an  
6 agreement between himself and Mr. Williams. And then  
7 Mr. Williams will close on Monday -- or on Tuesday.

8                   So unless anyone tells us otherwise,  
9 that's the plan for Tuesday.

10                   MR. BYRON WILLIAMS: I believe Ms.  
11 Peters may be preceding me as well on -- on Tuesday.

12                   MS. CANDACE GRAMMOND: Sorry. I  
13 didn't mean to forget Ms. Peters.

14                   MR. BYRON WILLIAMS: I did -- I -- I  
15 have no anticipated cross-examination of  
16 undertakings, and this is not an undertaking, but in  
17 our discussion with Mr. Johnston in terms of the  
18 table that was presented from the -- I believe it's  
19 CAC Exhibit 8, we were looking at fatalities related  
20 to vulnerable road users as opposed to -- to  
21 passengers. And he did not undertake, but he did  
22 indicate he was going to make inquiries if he had any  
23 more information in terms of who the unknown were.  
24 And so we -- that is not an undertaking, but if Mr.  
25 Johnston has anything more to report, we wouldn't

1 anticipate any cross-examination, but we'd be --  
2 certainly, if he has an update, that would be  
3 appreciated. But it is not an undertaking.

4 MS. KATHY KALINOWSKY: Sure. We'll  
5 contact Mr. Johnston. If he has any information,  
6 he'll provide it Tuesday morning then.

7 MR. BYRON WILLIAMS: And as I said,  
8 it's not an undertaking.

9 THE CHAIRPERSON: There was just a  
10 question. Are people prepared to sit another half  
11 hour and -- and to do your undertaking, or would you  
12 prefer Tuesday?

13 MS. CANDACE GRAMMOND: It's not --  
14 well, there's two (2) things.

15 THE CHAIRPERSON: Okay.

16 MR. CANDACE GRAMMOND: I need Mr.  
17 Pelly, first of all, to be able to listen, and he's  
18 not -- no longer available, and I need Mr. Johnston  
19 to ask the questions. So we can't do it today,  
20 unfortunately.

21 THE CHAIRPERSON: Okay. Thank you.  
22 So I -- this will conclude our hearing for today.  
23 And I would like to thank Ms. Johnson for her  
24 presentation and -- and being here. It was very  
25 useful for us as a panel. And we would also wish you

1 -- and thank you very much for taking the time to  
2 spend some extra time here, and have a good flight  
3 back to Vancouver.

4                                   And happy Thanksgiving to everybody.  
5 I almost forgot that.

6

7                                   (WITNESS STANDS DOWN)

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9 --- Upon adjourning at 5:03 p.m.

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14 Certified correct,

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20 Cheryl Lavigne, Ms.

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