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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Before we begin, I'd like to welcome Mr. Dougald Russell, who is viewing our broadcast in the Speaker's boardroom.

Mr. Russell is a Korean War veteran and is the subject of a Members' statement this afternoon.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today, we will hear Members' statements from the hon. Members for the Districts of Placentia - St. Mary's, Humber - Bay of Islands, Mount Pearl - Southlands, Ferryland and Bonavista.

The hon. the Member for Placentia - St. Mary's.

S. GAMBIN WALSH: Speaker, there are 34 Community Youth Networks throughout our province funded by the Government of Newfoundland and Labrador. Their inception resulted from a need to decrease barriers to education and employment and increase the quality of life for young people.

Prior to joining the Community Youth Network's umbrella, the Placentia CYN operated as the P4 Youth Centre. The youth initiative was originally formed in 1994 by a group of parent volunteers. Through fundraising efforts and volunteerism, this centre flourished until 2001. At that time, CYNs were forming across the province and the P4 Youth Centre became a satellite of the Splash Centre in Harbour Grace. This allowed Placentia to have a full-time employee.

In 2012, the P4 Youth Centre became a CYN hub. They engaged 12- to 18-year-olds, but also include community programs for families as well as employment and career services for young adults up age 29.

The centre offers a number of programs such as Freedom, an educational program about independent living. This program was developed

to help ease the transition from high school to post secondary and the workforce.

For additional information on programs offered by the Placentia Community Youth Network, visit their Facebook site at www.facebook.com/cynplacentia.

Thank you.

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: I'm very pleased today to recognize a recent recipient of the Newfoundland and Labrador 2021 Seniors of Distinction Award, my good friend and neighbour, Patrick W. Moore.

Pat lives in Curling and has been a long-time volunteer in the Curling and Corner Brook area. He has been a member of the Knights of Columbus for over 45 years and at a young 80 years of age, he is the longest-serving member of the Bay of Islands Search and Rescue with 29 years of service and has been instrumental in bringing search and rescue to the level it is today.

Pat is well known throughout the community for his contribution to his neighbours and to families beyond his communities. Whether it be involvement with an organization or his personal contribution, providing Christmas hampers to a family in need or shovelling his neighbour's driveways, Pat is always there showing the true spirit of giving.

I ask all Members to join me in congratulating Pat Moore on this well-deserved recognition and thank him for his many years of service.

Proud of you, old buddy.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

I would like to take this opportunity to congratulate all the community-minded citizens across our province who put their names forward in the recent municipal election. As everyone in this hon. House would know, public service is truly a calling and it's encouraging to see so many people step up and offer themselves this time around.

As the Member for Mount Pearl - Southlands, I would particularly like to congratulate the newly elected councils in both St. John's and Mount Pearl. In particular, I would like to congratulate Carl Ridgeley on being elected as the new councillor for Ward 5, which includes our shared jurisdictions of Southlands, South Brook and Galway. I look forward to working with him in growing and enhancing this amazing part of the capital city.

Likewise, Mount Pearl is my home, the place I dearly love and so I'm very excited to work with our new council in advancing the goals and objectives of our city.

Finally, I would be remiss if I didn't congratulate my daughter, Chelsea Lane, on being elected to our city council in Mount Pearl. As a father, I couldn't possibly be more proud.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

Today, I would like to recognize Charles Luther and Melvin Sutton for their work in raising funds for Daffodil Place.

Daffodil Place is operated by the Canadian Cancer Society and is available to clients and their caregivers who must travel to St. John's for cancer treatment.

September 22 to 24, Charles Luther and Melvin Sutton, two men who were born and raised in Trepassey ran 147 kilometres to raise cancer awareness as well as raise money for Daffodil Place. During their run, they were successful in raising \$20,000.

They decided to run the race in memory of Charles's friend, Jamie Hynes who passed away June 21 at the age of 45 from multiple myeloma.

The death of a friend or family member is always sad; however, the event had a positive spin by raising awareness and funds which will help so many families who are affected by cancer, as well it brought some energy and excitement back in to the town along the Southern Shore and especially Trepassey.

Speaker, I ask all my colleagues in this House to join me in congratulating Charles Luther and Melvin Sutton on their successful fundraiser in support of Daffodil Place.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

It is an honour to celebrate the extensive and exemplary service of Dougal Russell, affectionately named Doug, who has dedicated a significant portion of his life serving his country and the community of Port Union.

Doug joined the 3 RCR Canadian army in November 1951 and was involved with the Korean conflict for three years, returning in November 1954. He was presented with the Canadian Peacekeeping Service Medal.

Doug is currently the only Korean vet living in Trinity Bay North. In 1954, Doug joined the Royal Canadian Legion Branch 16 for which he remains a member today, 67 years of service and counting.

Doug was a member of the Port Union Council for several years, working to assure historic Port Union remains prosperous. As deputy mayor in 1986, he was instrumental in seeing the Sir William F. Coaker bridge replaced. His legendary meeting underneath the bridge with then MHA Charlie Brett was a determining factor, a story which I look forward to telling to this House when the opportunity presents. Masterfully orchestrated by Mr. Russell.

I ask the Members of the 50th House of Assembly to join me in celebrating the outstanding lifetime of service from Mr. Doug Russell of Port Union.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you, Speaker.

Today at Dalhousie University Faculty of Agriculture, two farmers from this province are being inducted into the Atlantic Agriculture Hall of Fame to recognize their contributions to this industry. Gerard Cormier of Codroy Valley is the inductee for 2021, and the late Raymond Eveleigh of Comfort Cove is the honoree for 2020.

Gerard is a fifth-generation farmer working the farm his great-grandfather established in 1852. The family business expanded in 1963 to include a dairy operation and, in 2004, the dairy farm merged with Chaffey Farm to become one of the largest dairy operations in Eastern Canada.

Speaker, along with his work on the farm, Gerard has been a dedicated advocate for Newfoundland and Labrador farmers and producers. Among his many achievements, he helped form the NL Milk Marketing Board, and served on the Crop and Livestock Insurance Board, Dairy Farmers of Canada and the Canadian Milk Supply Management Committee. His guidance and support continue to be valuable resources to the farming community.

The late Raymond Eveleigh of Comfort Cove cleared his first piece of land in Burn Cove at the age of 18. Under his leadership, the farm expanded from vegetable production to include fruit, sheep and cows. Triple E Farms carries the logo "Pride of the Burn," a nod to the place where Raymond cleared his first patch of land. Nearly a century later, Triple E Farms is one of the largest vegetable farms in the province, and Mr. Eveleigh and his family hold a well-earned reputation for excellence in agriculture.

Speaker, please join me in thanking these trailblazers, and all farmers, for their dedication to building Newfoundland and Labrador's agriculture sector.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

I want to thank the minister for an advance copy of his statement.

We, the Official Opposition, congratulate Mr. Gerard Cormier of the Codroy Valley and the late Raymond Eveleigh of Comfort Cove on their induction into the Atlantic Agricultural Hall of Fame.

Mr. Cormier was an advocate for dairy farms in this province and was instrumental in founding of the NL Milk Marketing Board. His dedication to dairy farming in our province is unheralded. His guidance is still valued in the farming community today. He is the voice of growth of dairy farming in our province.

Mr. Eveleigh spent his life in farming, growing a vegetable farm to include fruit, sheep and cows. Raymond is known for excellence in farming and his family carries on this strong tradition today.

We salute these two legends of the agriculture industry in our province and we salute the families of those men who continue their legacies.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

I, too, thank the minister for an advance copy of his statement.

We join in commending trailblazers such as Mr. Cormier and Mr. Eveleigh, as well as all food producers in our province, for helping getting food on our store shelves and tables. They are truly indispensable in this effort and farming is not an easy job to take on.

However, government can go one step further in getting that food on tables of families and building demand for local products by legislating a livable minimum wage so that all people – all people – of this province can enjoy healthy, local food.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Speaker, our offices continue to hear of lengthy delays for cardiac surgery in our province. The Premier responded yesterday by talking about how much health care costs. He's putting a price on people's lives.

Does the Premier now know how many people have died while awaiting cardiac surgery in our province?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: Thank you, Mr. Speaker.

First of all, let me express sincere condolences to anyone who's passed away as a result of long wait-lists in any capacity. Unfortunately, I know they're not isolated.

But what I do know is that we need to use situations like these, Mr. Speaker, and not ignore them, but to own them; to try to reconcile them to the best of our abilities; but, more importantly, to create a collective, pluralistic empathy throughout this House, to harness that empathy and change it to energy that drives and

fuels us to have the courage to create the system that we need to ensure, above all else, that we are creating a system for a healthier Newfoundland and Labrador, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Speaker.

We totally agree that the House needs to have empathy, but also we need to have solutions to ensure that the people are safe in our province and have access to proper health care.

Yesterday the Premier did not have any idea of how many people were on the wait-list for cardiac surgery. Has he been able to find out what the wait-list is now for surgery?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

I'd like to echo, from my own personal experience in a previous career, how difficult it can be for patients and their families when they are waiting for procedures, no matter what the reason.

In response to the Member's question, I can inform the House that there are 193 people on the cardiac surgery wait-list; currently, 121 of those are within the benchmark period of time. For the further benefit of the House, over the course of recent months, we have lost 107 procedures due to COVID. We are in a much better position than other provinces where their wait-list and backlog is 3½ years, Mr. Speaker. I have a meeting again with Eastern Health on Monday to address these and some other concerns.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Mr. Speaker.

Better than other provinces doesn't help the patients who are now waiting for those interventions that are life saving for them.

Yesterday the Minister of Children, Seniors and Social Development said, and I quote: I'm not aware of any reported cases where ER personnel cannot respond. And further said, and I quote: If there was a crisis, it certainly doesn't prevail now.

Does the Premier agree with this statement?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: Thank you, Mr. Speaker.

As I've said before in this House earlier this week, it is a crisis for those who don't have a family doctor, it is a crisis for those who can't find an ambulance and it is a crisis for those who are struggling on long wait-lists. Believe me; I've had to deliver that news to people. It's a crisis for the front-line providers who are working extra shifts and pulling their hair out. We recognize it's a crisis.

I'm not caught up with semantics; I'm caught up with solutions. That's why we created the Health Accord NL to drive those long-term solutions. But we recognize, equally, that it's important for short-term solutions for those people in crisis, which is why the Minister of Health and Community Services just earlier this week provided some short-term plans to help while we're waiting for the report.

By the way, we're ahead of the rest of the provinces in recognizing this and launching the Health Accord NL to come up with long-term solutions, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Speaker, the Minister of Children, Seniors and Social Development disagreed that emergency responders cannot respond to calls saying: They can always respond, eventually. I

suggest the minister speak to the Member for Cape St. Francis who had a constituent wait 45 minutes for private ambulance to travel from one side of the Northeast Avalon to the other because no ambulance was available from Eastern Health.

Premier, why do you continue to support your minister who is choosing to ignore the crisis facing the people of this province?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: Thank you, Mr. Speaker.

Certainly, the government has recognized that there are problems in the health care system and we're not ignoring them, we've come up a really robust plan to come up with long-term solutions. We can't revert to the mean, I recognize that there are significant individualistic crisis throughout the system.

What we have been tasked with in this House is to have the courage to change the system long term, that is not going to happen overnight, Mr. Speaker. We also recognize – as specific in the preamble – there are issues with the ambulance services. That is part of the Health Accord NL, but, in addition, we recognize that there are short-term implications for patients waiting for ambulances, which is why the Minister of Health and Community Services attempted to address that in the short term by adding new ambulances to the road, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Speaker, I do have to acknowledge that you can't solve and issue if you don't acknowledge it exists. If you have ministers that don't acknowledge an issue exists, it's going to be very hard to solve that issue.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Premier, this same minister, while Deputy Minister of Health, said, and I quote: We don't have as productive of a nursing workforce as we should.

I ask the Premier: Does he agree with the minister that our nursing crisis can be fixed if our nurses just work harder?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: Thank you, Mr. Speaker.

As I have said on the floor of this House and in public many times before nurses are the heart and soul of our health care system, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

PREMIER A. FUREY: I've worked alongside them and they are some of the finest individuals I've ever worked with in my entire career. We recognize the value they bring to the system but we equally recognize how stressed they are.

We've sat down with the Registered Nurses' Union, with Ms. Yvette Coffee, and we've had discussions about how to fix some of the issues they're facing.

The reality is there is no short-term fix. We need to be looking at strategies to elevate the conversation so that we're not continuing to have these conversations over and over again, Mr. Speaker. They recognize that a collaborative approach is an appropriate one, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Speaker, we all agree – particularly on this side of the House – the value and the importance of nurses and all of our health professionals in our health care system.

Yesterday, your minister ignored the fact that doctors are leaving over the crisis here saying doctors have always left, suggesting this systemic problem does not need attention. This is the same minister, while Deputy Minister of Health, who said that there are too many nurses and doctors in the province.

Premier, do you agree with your minister that the province has too many doctors and nurses?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: I can tell you one thing, Mr. Speaker, this doctor hasn't left and he is staying here to address the problem.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

Order, please!

D. BRAZIL: We acknowledge that this doctor has taken on a new role. Now, we ask this doctor to use his skillset to solve the problems that are facing the people of this province when it comes to health care in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Speaker, we have a health care system facing crisis. At the same time, we have a Health Minister in denial. We have a Finance Minister threatening doctors. We have a CSSD Minister spreading misinformation about the doctors concerned. All while we have a Premier with his hands tied.

I ask the Premier: Why do you allow such dysfunction in your Cabinet on the most critical issue in Newfoundland and Labrador?

SPEAKER: The hon. the Premier.

PREMIER A. FUREY: Mr. Speaker, my hands are not tied. We've launched the Health Accord NL last year, ahead of all provinces, recognizing the significant issues facing the health care system. That's not in denial at all. In fact, that's recognizing the problem; that's looking for solutions to the problem.

Recognizing the problem is only part one. Driving solutions is part two, three and four. Those are the sentences that come next. The Opposition has easy questions but no solutions, Mr. Speaker. We have solutions.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, yesterday, the Minister of Justice told reporters the workplace review of the RNC will be taking place virtually, with the consultant not expected to travel to Newfoundland and Labrador, with interviews taking place over Zoom or Skype.

I ask the minister: How can interpersonal trust between the reviewer and the interviewees be built without even a face-to-face meeting?

SPEAKER: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you for the question, Speaker.

The Member opposite does have it correct, that is what I said to the media yesterday. Unfortunately, she left out the second part of what I said to the media yesterday is that if the people and the individuals who are speaking to the reviewer feel that it's necessary to do a face-to-face meeting, of course, that reviewer will come to Newfoundland and Labrador, meet with them face-to-face to have these serious discussions to ensure that the public is safe and that the public has trust in the Royal Newfoundland Constabulary. That's what's important here.

We do have technology to assist people to do meetings nowadays and there's a reason for that, it's COVID. We want to make sure everybody is safe, but, if it's necessary, she will travel to Newfoundland and Labrador, the department will fund her travel here and her stay.

We will make sure we get this right because it's in the interest of the public.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, if the minister truly wants a review that gets to the bottom of these serious issues this has to be right, I agree.

I thank the Minister of Justice for releasing the terms of reference but these terms of reference for the review are really nothing more than four sentences. There's no specific timeline. There's no reference to any of the allegations that have come forward over the last number of months.

While I agree we shouldn't force victims to testify, does the minister believe these allegations can be taken seriously and dealt with if this review does not have even a mandate to consider them?

SPEAKER: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you, Speaker, and thank you for the question.

First of all, I've said it before and I will say it again, I will not force any woman who has an allegation that she's been sexually harassed or sexually mistreated to come forward, publicly, and discuss that.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: I'm not interested in forcing people to be re-victimized if they don't want to do that. It's a personal choice, an individual choice, and I leave it to that individual to deal with that through mechanisms that are available to him and her, including the Serious Incident Response Team and the Public Complaints Commission of the RNC.

Second of all, this is an open-ended mandate to the reviewer at the RNC because I, again, don't want to dictate to the officers and the civilians at the RNC about what they can say and what they should say and limit them in any way. It's open ended for that reason, so any and all issues that exist at the RNC can be discussed with the reviewer.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Thank you.

Speaker, it is no wonder the Newfoundland and Labrador Medical Association have suspended negotiations. Yesterday, the Minister of Children, Seniors and Social Development questioned the validity and integrity of the Newfoundland and Labrador Medical Association on the doctor shortage saying: Nowhere near the number of 99,000, no matter what way we do the math.

I ask the minister: How can you bargain in good faith when one of your colleagues has a blatant disrespect for the Newfoundland and Labrador Medical Association?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much, Mr. Speaker.

I think I'll say it again; we value and appreciate the work of our health care providers. I know the Premier said it earlier, but I think it's worth repeating. It's very important to all of us to recognize the hard work of doctors, nurses, paramedics and all of those engaged in the field.

As I've said repeatedly in this House, we're sitting down with the Newfoundland and Labrador Medical Association. We've presented payment schedule review, we've presented family practice renewal funding; we've talked about rural retention bonus.

Mr. Speaker, we really do recognize and realize that we have a challenge with pay for family doctors. We want to sit down with the NLMA and get back to the table.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, everything the minister said is wonderful, except we left out one thing; she's already put a cap on their salaries. She doesn't want to talk about any new monies, so that's part of the problem.

Speaker, the Minister of CSSD asked people to consider the source of the information on the doctor shortage.

In response, the Newfoundland and Labrador Medical Association showed its source, an independent polling firm commissioned by the association.

So I ask the minister: Is the Minister of CSSD helping negotiations by spreading misinformation?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you, Mr. Speaker.

I thought I was pretty clear in my first response. We have sat down with the Newfoundland and Labrador Medical Association on payment schedules, on blended payment models and on rural retention. We've talked about family practice retention. We've put forward proposals on that.

I would ask the NLMA to come back to the table. We realize that we have a challenge with pay for family doctors and we want to talk about it at the table.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, in response to the comments made by the Minister of CSSD, the Newfoundland and Labrador Medical Association has shown its homework and proven the minister wrong about the doctors concerns.

Will the minister stand in his place and apologize to the Newfoundland and Labrador Medical Association?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Speaker, thank you for the opportunity to respond.

I certainly want to recognize, as the Premier said, that many individuals in the province are challenged with finding a primary care physicians, but in terms of my contribution to

the debate yesterday, I still stand behind what I said. My source is independent, and that the NLMA also have their point of view, I stand by what I said and that's all I can say at this point.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

It's unfortunate that people cannot recognize their wrongs and just simply apologize.

Speaker, the doctors in our province are calling out for help and this government is refusing to listen. In an article published by *The Telegram*, Dr. Sarah Tulk says she feels like a member of the orchestra on the *Titanic*, and I quote "... focusing on my job to distract from the fact that primary care in NL is slowly slipping underneath the waves."

I ask the minister: Does he agree with this warning from a local doctor?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much, Mr. Speaker.

I'll, again, repeat myself. We have been presenting proposals to the Newfoundland and Labrador Medical Association to address these concerns. Blended payment models, family practice renewal funding, rural retention bonuses, I can go on naming the different proposals that have been put before the NLMA.

Mr. Speaker, we realize that we have a challenge on pay for family physicians. We recognize that. We realize it, that's why we're presenting these proposals.

The best thing I can say is that we ask that the Newfoundland and Labrador Medical Association come back to the table so that we can resume negotiations.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I appreciate the response; however, my question was specific to doctors and those who are giving their life experiences through the media to us.

This same doctor writes that family doctors are "burnt out and demoralized" and facing "the worst pay in all of Canada."

She writes that doctors in our province are telling others to stay away and even our family medicine graduates are not staying here due to the conditions they face. She says she "didn't go into medicine to tell patients, 'I can't help you'."

I ask the minister: Does this sound like the words of someone facing a crisis?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

We have been listening to our physicians. We acknowledge that some of them are particularly stressed. Our solution is at the negotiating table, because in there is the key. The key to burnout, the key to overload are collective, collaborative care teams. We have seen these work. We've seen these revolutionize the working conditions of all of the practitioners involved there, because the work is shared and people work to the best and interesting end of their spectrum. So you have family doctors; you have nurse practitioner; you have pharmacists; you have optometrists, potentially; wound care nurse and diabetic educators. It's the one door, one-stop shop, the right care, right place at the right time.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I think in the minister's mandate letter it talks about listening to the lived experiences. I'm appalled to here the words: some of them, again,

which we heard yesterday, which implies a small number.

Speaker, the doctor says we can't get doctors to settle in our province with – and this is her quote – “even the most delectable of fruit baskets.” She warns that without better compensation local doctors will be looking up the number for recruiters in Nova Scotia. Something we on this side of the House and the Medical Association have repeatedly warned about.

I ask the minister: Will you stop your government from dismissing the concerns of family doctors and finally listen to their concerns?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much, Mr. Speaker.

I do appreciate lived experience. I think it's important for all of us to bring our lived experience to this House of Assembly.

I will say that we have presented issues to address the retention and recruitment issues that we see within our family physicians. We've put down plans for payment schedule review; we've talked about leave benefits, rural retention bonuses and family practice renewal funding.

Again, I'll say that we recognize there's a challenge with payment for family doctors. The best place that we can have a further discussion on this and make improvements to it would be in negotiations with the Newfoundland and Labrador Medical Association.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, our office is hearing from residents all over the province who need someone to advocate for them. They are calling us because the Liberal government is in denial. I've heard from residents of St. Alban's who are concerned that for the past two years there are many examples of emergency services diverted to Harbour Breton or Grand Falls-Windsor.

How can the minister justify putting residents on the South Coast in danger because of their emergency room being unstaffed?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

Rural family medicine, rural emergency care has always been an area of great challenge in terms of recruitment. I sympathize with those people who are concerned that they can't get the care that they need when they need it, but Central Health, in that particular example, have contingency plans in place for both locums and virtual care.

The fix here is recruitment. We announced a package on Monday that totalled some \$30 million. In there is a provincial HR plan for health care providers, a provincial recruitment and retention office and significant investment in new family medicine graduates, Mr. Speaker. That's the solution until the Health Accord comes on stream.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: The minister seems to have solved a lot of problems on Monday, Mr. Speaker.

Recently, the emergency room in Lewisporte moved to virtual care because of doctor shortages. Central Health advised people to proceed to the next nearest emergency room.

If our emergency rooms are not open, operational and staffed with the needed medical staff, how can the people of this province have any confidence that the help will be there when they need it?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

Emergency room care, rural family medicine is challenged at the moment with various stresses, not least of which is COVID and not least of which is retirement. Central Health have contingency plans in place. There are first responders, there is virtual care and there is backup from the regional referral hubs.

The fix for this is recruitment and retention and, to develop my previous answer, the provincial recruitment and retention office will be key to addressing issues around physicians, as well as other health care providers. A needs assessment and a physician HR plan will inform that. We're working on it, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Mr. Speaker.

The Liberal Members opposite know that health care is in a crisis, even if their ministers won't admit it.

Central Health has hired a recruitment agency to help physicians. How many physicians have been found for Central communities? If we're speaking about we are ahead of other provinces by leaps and bounds, why are our very own doctors going to those other provinces to work?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

The patchwork approach to recruitment and retention has been necessary and this is now going to be solved, in the medium term, with the provincial Recruitment and Retention Office. We have, in the past, used recruitment agencies to provide locum cover.

The key now is that all of us get together in a collaborative, team-based way to sell our communities as places to work and places to live. It is not just about recruiting a doctor; it is about attracting a family. The Minister of

Finance speaks about the importance of hearing what the NLMA say and them coming back to the negotiations after they sought their members' input.

We are making progress, Mr. Speaker. It is slower than I would like –

SPEAKER: Order, please!

The Member's time has expired.

J. HAGGIE: Thank you.

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Speaker.

We see lots of nods across the way, but it is about time that you all stand up and speak for your own constituents as well. It isn't just Central Newfoundland and Labrador where we are hearing concerns from residents of the province.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

C. TIBBS: We have been receiving calls from St. Anthony where residents have to resort to protesting –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: We've been receiving calls from St. Anthony where residents had to resort to protesting in this last summer about staffing shortages in health care.

I ask the Member for St. Barbe - L'Anse aux Meadows: Is there a health care crisis in St. Anthony? Is it a crisis as well?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

Recruitment in rural areas is a challenge; that is certainly the case. We have responded to that in the medium term by putting in place a provincial Recruitment and Retention Office. St. Anthony has a wonderful facility. I worked there for 4½ years and it is a great place to raise a family.

The key is to get all the players, all the stakeholders, to approach recruitment and retention as not simply a government initiative, not simply a regional health authority initiative, but we need the Members opposite out there to help calm the noise and advocate on behalf of this province, instead of running it down every five minutes.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Thank you, Speaker.

I'm hearing from many of my constituents who are raising concerns about the deterioration of services and the future of the Burin Peninsula Health Care Centre. Specifically, residents are concerned about the future of obstetrics, surgical services and physiotherapy, in particular.

Will the minister commit to insuring these services are not removed from the Burin Peninsula Health Care Centre?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

The Health Accord NL is looking at a plan to reinvent, reboot and renovate the health care system in this province to make it sustainable. Doing what we have always done and expecting a different result is not going to get us anywhere. I wait, with interest, the input from the communities involved to Health Accord NL and really look forward to their final report.

They have done a wealth of work. They've spent a lot of time, and I'd like to take this opportunity

to thank both co-chairs as well as the teams that have been involved. We will then be in a position to do our due diligence about their recommendations.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

The Health Accord's interim report states that, since 1981, there has been a 6 per cent increase in social spending and a 232 per cent increase in health care spending. A 2011 study by the Canadian Centre for Policy Alternatives into the cost of poverty in British Columbia concluded that raising the income levels of the poorest 20 per cent would save that province's health care system 6.7 per cent in spending annually. In terms of our current health budget, that would save the Newfoundland health care system almost \$217 million annually.

I ask the Premier: Will his government commit to implementing a minimum living wage and increasing the level of income support for those who depend on it?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

It is the passion of both of the co-chairs of Health Accord NL to address the broader determinants of wellness – the so-called social determinants of health. This phase of their consultation opens this month, and I would encourage all Members of this House to provide input. Now the Progressive Conservative Party has a member on the team; perhaps they will have a direct channel to be able to do that, too, now.

From our point of view, the wellness, the more holistic approach to making this province the healthiest it can be by 2031 will be determined by addressing social determinants of health, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

Last night, the Minister of Children, Seniors and Social Development went to great pains to introduce an amendment to the Opposition's private Member's resolution that only some individuals are experiencing a health crisis.

Would the minister please quantify "some" for us and to the people of our province?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Thank you, Speaker, for the opportunity to respond.

As I said, I think, in the debate yesterday, we certainly recognize that there are quite a number of people in the province now looking for a family physician. I think the substance of the discussion was around what that quantum is. There is a different piece of research out there that suggests a certain number of people.

The point is that the government addressing those issues, looking to make sure that the services are provided and that we will bring that gap down significantly over the next couple of years.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: It sounds, Mr. Speaker, that the minister really doesn't have a number and doesn't know what he's talking about.

SOME HON. MEMBERS: Hear, hear!

J. DINN: The NLMA issued a press release outlining exactly how it arrived at the figure of 98,000 – fairly transparent.

I ask the minister: Was his amendment and comments last night nothing more than a blatant

attempt on behalf of his government to mislead and minimize the doctor shortage?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Speaker, thank you once again.

Certainly not intending and wanting to mislead, by any stretch. There is a difference of view. The NLMA have done their work, paid by them, to produce a report. What I relied on was independent information provided by Statistics Canada. Consequently, there is a difference, and I stick by that research.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I ask the minister about MTAP over and over and he continues to defend it.

But I ask this of him, and the Premier: As health care professionals who have sworn the Hippocratic oath to do no harm, are they okay that under this government people in Labrador are not able to make it to appointments or receive timely care because they cannot afford to travel to St. John's because of such a broken and limited program?

SPEAKER: The hon. the Minister of Health and Community Services.

J. HAGGIE: Thank you very much, Mr. Speaker.

We do recognize on this side of the House that medical transportation is an issue. From our point of view, we have the two programs. We would love to be able to revamp some of them completely, but quite frankly we have made significant improvements to the Medical Transportation Assistance Program – the reimbursement, the cost-defrayal mechanism that is available to everybody.

We do, for Income Support clients, completely cover their travel. We're also working, for example, with provincial airlines, who have

made a very good offer about streamlining their processes for booking flights with ours for people who come from Labrador. And I look forward to being able to make an announcement perhaps in the not-too-distant future.

Thank you.

SPEAKER: The time for Question Period has expired.

The hon. the Government House Leader.

S. CROCKER: Point of order, Mr. Speaker.

During Question Period, under section 49, the Leader of the Official Opposition in a question stated that the Minister of Finance threatened doctors.

Mr. Speaker, I find that to be inappropriate language for the Member opposite to look at the minister and say that she threatened doctors. I would hope that the Member would withdraw his statement.

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Speaker, obviously, in this House, we try to keep decorum to the level that it should be and set the examples here, Mr. Speaker, and we do that. This was a comment based on – it was a quote from the Medical Association saying that they felt threatened as part of that.

With that being said, because I am cognizant of the decorum here and understand we all have a responsibility, I do withdraw that statement that I presented in the House just now.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

SPEAKER: The Speaker has one.

In accordance with section 19, subsection 5, paragraph (a) of the *House of Assembly*

Accountability, Integrity and Administration Act, I hereby table the minutes of the House of Assembly Management Commission meeting for the meetings held on May 12 and May 26, 2021.

Any further tabling of documents?

Notices of Motions.

Notices of Motion

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I give notice that I will on tomorrow move in accordance with Standing Order 11(1) that this House not adjourn at 5:30 p.m. on Monday, October 25, 2021.

SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

The background to this petition is as follows: The Witless Bay Line is a significant piece of infrastructure.

Whereas many commute to Bull Arm, Long Harbour and other areas for work as well as the commercial and residential growth in our region has increased the volume of traffic on this highway.

Therefore, we petition the House of Assembly as follows: Upgrade to this significant piece of infrastructure to enhance and improve the flow of traffic to and from the Trans-Canada Highway.

Mr. Speaker, I presented this petition on many occasions. We did receive some pavement, I'm

going to say a couple of years ago under a different minister and I certainly appreciate that. We did four kilometres. The road is 22 kilometres long and there are other sections that has been done. I think it's time for the department to have a look at that and finish this infrastructure.

It's a piece of infrastructure that is used by tourists going along the Southern Shore Highway. I'm going to say crab trucks driving back and forth across, campers and visitors from all over the Island. Right now, they are going back and forth down in Placentia down to the site for work on the White Rose project. There are people going back and forth there so it is a big piece of infrastructure.

When I speak about it in the House and I meet someone – when I met someone the last time they said don't forget motorcycles travelling across. When you're driving on those roads – I give them credit, they fill in the potholes and there are some huge craters. Somebody should go up and drive it and go across it.

When you get the good section of pavement, obviously, everybody can't have it, but this is an important structure and should definitely be upgraded and be brought up to standard. It's not up to standard now.

Motorhomes, if they're coming down the shore, what we call down the shore; it's probably up the shore for someone else. When they come down the shore, they go out around and go out to the CBS area and come in around to go to the Trans-Canada to avoid the Witless Bay Line, it's so hard on their trailers and campers and whatever they're towing.

I'd love for the department to be able to have a look at this, and I do appreciate your time.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Speaker.

I will just say to the hon. Member that we'll certainly be considering what you have brought forward here today in that petition in the Multi-Year Plan.

Thank you, Speaker.

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

The residents on Route 350, 351A and 352 in the Exploits District are concerned of the road conditions on these routes causing safety issues and damage to vehicles.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately have roadwork contracted to upgrade and improve conditions of these routes.

Mr. Speaker, these are Routes 350, 351A and 352 in zones of 50 to 70 kilometres. They are in deplorable conditions, Mr. Speaker. We have children riding on buses. We have people in towns trying to get from one place to another and the roads are deplorable. I've spoken to three different ministers now on this area and nothing has been done, Mr. Speaker; nothing has been done to address this and it is deplorable.

I did have a conversation with the minister, actually, last fall, and he told me point-blank there was no funding for Exploits. Yet, when I look at the news release that the minister put out, he got my district up to \$6.4 million and that covers Route 360 that leads to his own district going to Bay d'Espoir, which you have to go through the Exploits District to get to Bay d'Espoir. Thank you, Minister.

Anyway, Minister, during the summer driving around down in the Speaker's district, actually, Route 340 is all cleared up, right smooth going down there. That's on Route 340 and Route 360 in the minister's district that's being done, and 350, 351A and 352, what happened to it?

SPEAKER: I wanted to rule you out of order there for a second.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: If there's ever a time that a Member for Exploits have made me happy is right now because let me clarify; let me clarify for those who don't know. Route 360 where there was paving done this year was right on the verge of his district going down past –

P. FORSEY: (Inaudible.)

E. LOVELESS: Hold on now. I gave you the opportunity.

SPEAKER: Order, please!

E. LOVELESS: It passes right alongside the Lions Max Simms camp where a lot of your constituents go. Are you telling me I should not have done that?

SOME HON. MEMBERS: Hear, hear!

E. LOVELESS: So you ask for it, you got it.

Bring it on the MHA for Terra Nova.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Speaker, the reason for this petition is as follows: The road to the Town of Terra Nova is unsafe for travel by those who use it. The road isn't maintained on a regular basis and is the responsibility of the Department of Transportation. The road is the only way and out of the community and is travelled daily by students on a school bus to Glovertown and parents are concerned for their safety.

Therefore, we petition the hon. House of Assembly as follows: To urge the Government of Newfoundland and Labrador to repair the road to ensure the safety for those who travel on it on a daily basis.

Mr. Speaker, the road to the Town of Terra Nova is gone. Make no mistake about it. It was voted the worst road in Atlantic Canada. By the department's own admission, when they look at a road from a safety standpoint for fixing they

measure from the centre line. Well, if you drive in to the Town of Terra Nova, the only thing in existence is the centre line. There's no asphalt on the outsides of it. It's shameful.

I listened to the minister over there, they've gotten 1,000 pictures sent to them and there's been no response from the department – none – which, in itself, speaks volumes.

Now, the minister was questioned about the politics in paving and the work that was done in his district and he quickly pointed out the extra work that was done in my district. Well, it was done on a Class I highway, on the Trans-Canada Highway.

E. LOVELESS: (Inaudible.)

L. PARROTT: On a Class I highway, not on Class II and III like you did in your district.

Now, I applaud you for standing up for your constituents. I applaud you. That's your job as an MHA, but as a minister the role is to look after the entire province.

SOME HON. MEMBERS: Hear, hear!

L. PARROTT: So I don't applaud you for that.

This road is extremely – extremely – unsafe. Now, to top it off, there are quarries in there that are travelled on and government money comes back from the quarries. Logging, Nalcor, they got the road tore to pieces. When the power line went through, Nalcor tore this road to pieces. They should have replaced it. That road is gone, and I mean gone. It's most likely, like AAA said, the worst road in Atlantic Canada.

I urge the minister – I urge the minister – not to look at the multi-year program, but to look for a fix now before somebody dies, because they don't have years to wait. The road is shot. There are students in school buses and they shouldn't be travelling out over that road.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Let me respond to the Member opposite to say that I don't govern based on that survey. I don't now and I won't. Because you know what I govern on, I govern on the expertise in my department, and I did that and I will continue to do that. I rely on their expertise in terms of determining what roads will be done.

You want to talk about playing politics with paving. I guess if I'm going to be investing my district I'm playing politics. But one of your colleagues, I actually visited her district to go and view her roads because they were of a concern to me. I've travelled a lot, so that's not playing politics. As far as I'm concerned, that is a concern, and I did that out of a concern for the roads.

Not only that, this summer I travelled many kilometres of roads in all districts to see and, as far as I'm concerned, it's a good place to start in terms of planning. I'm going to continue to – we will consider, absolutely, that road in our multi-year plan.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I presented this petition earlier this week and I think it's extremely important that I present it again.

WHEREAS there are many hopeful mothers and couples in this province dealing with infertility issues and require medical assistance to conceive; and

WHEREAS the costs associated with out-of-province fertility treatments, specifically in vitro fertilization, are extremely cost prohibitive; and

WHEREAS there are doctors in the province trained in in vitro fertilization and have the desire to set up an in vitro fertilization clinic in the province; and

WHEREAS the province is dealing with an aging population and serious population growth challenges;

THEREFORE, we petition the House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to establish a fertility treatment clinic within the province, providing full fertility services, including in vitro fertilization, for hopeful mothers and families and, in the interim, provide financial assistance to access out-of-province fertility treatment and services.

Speaker, I have received many, many inquiries, calls, emails from families and young women who want to start a family and want to stay in this province and raise their family. They are not getting the option to do so because they do not have the full services available here in this province to allow them to conceive and have a baby.

The costs associated with it are extremely, extremely high and to have to travel out of province is even more inappropriate for them because they can't get seat sales. You have to run and go when they have to go. It's just not a conducive environment for young mothers, young women and couples to have families.

Now, the Premier committed during the election to enable to have those fertility services here in the province. The Minister of Health said it's not optimistic to do so. The Minister Responsible for Women and Gender Equality said that she's going to commit to a review. This is not a multiple-choice question. This is a simple question of offering the services to the young women and families in this province who want to have a baby and start a family in this province. It has to happen now.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker.

I certainly appreciate the hon. Member's passion about this topic. As I said here multiple times this week, we can all certainly be passionate about this and all relate. Like I said before, I'm sure many MHAs – if not all MHAs in this House of Assembly – have received calls from constituents.

Let me be clear: This government supports women. This government supports families who want to grow their families and to have children. As I said earlier this week as well, based on my correspondence and my work with my colleague, the Minister for Health and Community Services, there is currently a program being developed now to fund residents who are eligible to travel out of province.

That said, this Premier has campaigned on it. The Premier is passionate about it, as am I, as a woman. As the Minister Responsible for Women and Gender Equality, we are committed to reviewing this service and certainly doing everything that we can to help young women and families who want to grow their families and ultimately grow our population.

It's not falling on deaf ears. I can't be clearer than that. I will say I am very excited and I can't wait to finally get out and announce an update, some good news, as soon as those updates become available. But no make no doubt about it, I certainly will be keeping the feet to the fire with my staff and to do what we can as a government to help these people.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

The background to this petition is as follows:

In the Province of Newfoundland and Labrador, there are over 75 patients who live with cystic fibrosis. Cystic fibrosis is a genetic disease that causes severe damage to the lungs, digestive system and other organs in the body. Unfortunately, as of now, only the symptoms of CF are being treated.

In June 2021, Health Canada approved Trikafta, a triple combination precision medicine that targets the gene defect that causes CF. Trikafta has been proven to result in life-changing health improvements. For example, Stanojevic demonstrated that accessing Trikafta in 2021 would result in significant improvements for

those living with CF by 2030, including: 60 per cent fewer people living with severe lung disease; 15 per cent fewer deaths; 19 per cent fewer hospitalizations or home intravenous courses; increase of an estimated 9.2 years for the median age of survival for a child born with CF; and reduction in the number of double-lung transplants.

Mr. Speaker, once again, I have people here who are supporting this petition from all over the province. They're from the Shearstown, Coley's Point, Bay Roberts area and Conception Bay North are primarily the people here today.

I will say that I did hear from one of the advocates last night and they were very excited and pleased to say that they have been told, at least, that – prior to then, Newfoundland and Labrador was the only province in the entire country not approving this life-changing medication. But I was told last night, from an advocate, that they were advised that our province has indeed, as of last night, there was late-breaking news that our province was finally going to sign on and approve this drug.

I was told that unofficially. If that's true, that's fantastic news and I applaud the government for doing so. But I would like to hear from the government, from the minister, just to confirm in this House of Assembly from that official source that the government is indeed going to be providing this life-altering, life-changing drug for families who have a loved one with cystic fibrosis.

Thank you, Mr. Speaker.

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Deputy Government House Leader, for leave to introduce a bill entitled, An Act Respecting The Renaming Of Red Indian Lake, Bill 12, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Deputy Government House Leader shall have leave to introduce Bill 12, An Act Respecting The Renaming Of Red Indian Lake, and that the said bill be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister Responsible for Indigenous Affairs and Reconciliation and Minister Responsible for Labrador Affairs to introduce a bill, "An Act Respecting The Renaming Of Red Indian Lake," carried. (Bill 12)

CLERK (Barnes): A bill, An Act Respecting The Renaming Of Red Indian Lake. (Bill 12)

SPEAKER: This bill has been read a first time.

When shall the bill be read a second time?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 12 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I call from the Order Paper, Motion 4.

Speaker, I moved, seconded by the Deputy Government House Leader, that under Standing Order 11(1) this House not adjourn at 5:30 p.m. today, Thursday, October 21, 2021.

SPEAKER: The hon. the Government House Leader.

Is the House ready for the question?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

The hon. the Government House Leader.

S. CROCKER: Thank you very much, Speaker.

I call from the Order Paper, Order 7, Bill 22, An Act Respecting Off-Road Vehicles.

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Speaker, I move, seconded by the Minister of Municipal and Provincial Affairs, that Bill 22, An Act Respecting Off-Road Vehicles, be now read a second time.

SPEAKER: It is moved and second that Bill 22, An Act Respecting Off-Road Vehicles, now be read a second time.

Motion, second reading of a bill, "An Act Respecting Off-Road Vehicles." (Bill 22)

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I'm very pleased today to speak to Bill 22, the *Off-Road Vehicles Act*.

Let me start by saying off-road vehicle accidents are not rare. They happen all too often in this province and I can't stress enough the importance of safety. I would ask all Members of the House to reflect on your use of all-terrain vehicles as well as your constituents' use of off-road vehicles and how can we change the culture of safety in the province around the use of off-road vehicles.

Newfoundlanders and Labradorians need to understand the risks associated with the use of such vehicles and what we can all do collectively to ensure our children, partners, friends and family members get to enjoy using

their off-road vehicles and live to tell their stories.

We have all seen and heard media stories regarding off-road vehicle safety and the increasing number of accidents, injuries and fatalities involving such vehicles. According to the Newfoundland and Labrador Statistics Agency, since 2014 there has been 68 Newfoundlanders and Labradorians who have lost their lives in off-road vehicle accidents. We're still counting statistics very sadly, Speaker. Since January of this year, we have had an additional four fatalities. That's four too many and many of these are preventable.

We recognize that for many people in rural and remote communities vehicles such as ATVs and snowmobiles are their primary means of transportation.

Mr. Speaker, I grew up in Grand Falls-Windsor, I rode on Ski-Doo's and ATVs. When I was six I had a minor mishap on a Ski-Doo, I don't really accept responsibility because I was six. Someone allowed me to operate a Ski-Doo when I was six, which I don't think was appropriate at the time, but maybe since then I haven't really been comfortable on Ski-Doo's. I also can't get my feet warm enough, actually. I've had different kinds of boots but I can't get warm enough on a Ski-Doo. They're not my favourite. I prefer an ATV at my parent's cabin; I enjoy using the ATVs there.

I guess I'm not an expert but I am kind of a user of ATVs and snowmobiles. Over the last six months I have spent a ridiculous amount of time reading and learning and debating everything to do with off-road vehicle safety. I have learned a lot and I am very pleased to bring these changes to the House today.

I'd also like to chat about some of the consultations that we've done because our department has concluded extensive consultations. We've done a jurisdictional scan throughout the country in consultations with stakeholders; for example: the Newfoundland and Labrador Snowmobile Federation, snowmobile clubs, the T'Railway Council, Municipalities Newfoundland and Labrador, the Canadian Off-Highway Vehicle Distributors Council, the medical community, Indigenous

governments, Indigenous organizations and enforcement partners.

I've received many letters from physicians and from medical organizations pleading with us to have, for example, things like mandatory helmets.

I'd also like to highlight an opinion survey that was done by the Newfoundland and Labrador Statistics Agency in 2018, I guess at the earliest stages of this, which was before my time. They did a survey that was geographically representative across the province, with 96.2 per cent of respondents supporting mandatory helmets in the province. That was for snowmobiling in particular.

Respondents also indicated a desire for increased enforcement and expanding the legislation to include other motorized vehicles, for example, Side By Sides in these changes, Speaker.

The changes we're proposing addresses the feedback of what we heard from our stakeholder consultations and also presents an opportunity for residents to renew their commitment to safe and responsible off-road vehicle use.

I'd also like to recognize the power of the Nunatsiavut Government as well as the Inuit communities of Nain, Hopedale, Postville, Makkovik and Rigolet to make their own laws regarding the operation and use of recreational vehicles. Under the Labrador Inuit Land Claims Agreement, the Nunatsiavut Government can make laws for use on Labrador Inuit lands outside the communities, while the Inuit community governments can make by-laws for use within community boundaries. Where there is a conflict with provincial law, the Inuit law or community by-law prevails.

Additionally, under the federal *Indian Act*, the regulation of off-road vehicle traffic on reserves is a by-law-making power of a band, exercisable by the band councils of Natuashish, Sheshatshiu and Conne River. Under section 88 of the federal *Indian Act*, the band by-law will prevail over a provincial law in the event of a conflict.

There is opportunity, Speaker, for any Indigenous organization that I've listed here

today – they can create their own by-laws so if there's something that we've put in this legislation that they feel shouldn't apply to them or if they would like to, you know, increase safety a bit further or make an exemption, they're certainly legally permitted to do that.

The act that we're proposing modernizes language to help users understand the requirements of the legislation and clearly recognizes Side By Sides as being subject to the law. At the moment, in our current legislation, the word Side By Side is not really accounted for. The wording is not there. So we're trying to make this very clear to users that Side By Sides, where they apply and where they don't apply. When in doubt, they apply everywhere. The rules to Side By Sides apply to the other rules of off-road vehicles.

In terms of some of the specifics that we're proposing, for example, a person must not operate a dirt bike unless they are able to sit astride the bike with both feet touching the ground and a person will not be able to operate a Side By Side unless they're able to sit with their seat belt fastened and both feet on the floor.

Speaker, we've reviewed many owners manuals in coming up with some of these. I have some here with me today. The changes we're proposing in legislation align with the manufacturers' recommendations for these machines as well. The act also makes allowances for approved disability-related modifications based on manufacturer recommendations in respect of those requirements.

In an effort to help reduce the number of brain injuries and fatalities, under the *Off-Road Vehicles Act* it will be mandatory to wear helmets on all off-road vehicles unless exempted under regulations. I think it's important for Members and anyone watching to understand that today we're debating the act and changes in the act, and then the specific exemptions to the mandatory helmet clause, those come in regulations. We're being transparent about what our proposed policy is for the regulations because I understand this is very important to the people of the province. But the regulations come later; they don't come back to the House. So we're happy to chat about those today and

get feedback, as well as get feedback from the general public, and I know I've received lots of communications from people on those as well.

Just to be transparent, if you look across the country, there's a range of different types of exemptions. The two that we're kind of going to review further and get more information on: one is hunting and trapping activities for less than 20 kilometres an hour and having that being an exemption to mandatory helmets; and the other one that we're going to seek further evidence on and investigate further is factory-enclosed Side By Sides. So when you buy a Side By Side from the factory that is fully enclosed, the requirement to wear helmets for that. These are two ones in particular that we're going to be looking for additional information on and considering further but if others come up in debate, we're happy to consider those as well.

Speaker, we're proposing in the regulations to enforce the use of seat belts on any off-road vehicle equipped with them. I'm extremely pleased that the amendments to the act will protect the province's youth by clarifying rules regarding age limitations. Proposed amendments will also require mandatory operators' safety training for anyone under 16 years of age, anyone registering an off-road vehicle for the first time and anyone convicted of an offence under the act or regulations who has had their registration cancelled or suspended. The training provisions will be brought into force once we have made training widely available.

Speaker, we thought a lot about training and in the effort of improving our safety culture here in the province: How can we, I guess, roll out mandatory training to have the most effect? But we also recognize that many people of our province are very experienced users. So we believe, Speaker, that we've come up with a good compromise in terms of long term, dramatically increasing the safety competence of our off-road vehicle users and operators while recognizing the experience that many of our owners and operators currently have.

So, just to reiterate that, we are proposing mandatory safety training for anyone under 16 years of age, so 15 or below; anyone registering an off-road vehicle for the first time – so if you've registered a vehicle in the past, you

wouldn't have to do training again. If someone comes in from another province with their off-road vehicle, they would have to do the training; and anyone who is convicted of an offence under the act or regulations who's had their registration cancelled or suspended. They would also have to do training, Speaker, because they've demonstrated to Motor Registration that they don't have a good handle on the rules or that they are not following the rules.

In terms of training, we are looking at online training. The specifics are still to be worked out with our safety partners, Speaker. When we're looking at when different parts of this act could be proclaimed depending on how the debate goes today, Speaker, we're looking at potentially the training provisions coming into force later. Some of the other provisions where we don't need to work out additional details, they could come into force earlier and things such as the training would come into force later.

We've also added provisions, Speaker, so those under 13 years of age will not be permitted to operate off-road vehicles with an engine size greater than 125 cc. The act also requires individuals under 16 years of age to be supervised by a licensed driver who is at least 18 years of age.

Speaker, we've looked across the country and each province, I guess, has slightly different nuances in terms of the age and which types of vehicles you can operate, and we've listed and consulted with many different organizations. There's no perfect solution here. We think that this is a reasonable option that protects very young riders and that the restrictions here would not be too onerous, but we are happy to debate those further.

When operating off-road vehicles near highways, operators will be permitted to cross a highway where the minimum visibility is not less than 150 metres in both directions. Crossing a highway on an off-road vehicle also requires a driver's licence issued under the *Highway Traffic Act*. Speaker, we've seen a lot of accidents, especially lately, where operators have been crossing highways which lead to both incidents for the off-road vehicle operators but also for motoring members of the public who are on the highway.

The current regulations, I think it talks about 100 yards. Myself, I have no concept of how far a yard is, so we've changed it to be 150 metres, visibility in both directions. I think, Speaker, this is where the culture element comes into effect. I think it's important that riders and operators plan their routes and plan where you're going to cross a highway for your journey and make sure that you have 150 metres, in both directions, visibility. If you're not sure and if the visibility is low – when in doubt, don't cross the highway. This is very serious. We've seen this year and in the past years incidents of people crossing the highway and the high speeds that motor vehicles are travelling. When in doubt, you shouldn't cross the highway. This is where the safety culture I think is important. People should be thinking safety first.

Speaker, operators will be also permitted to travel along a highway to access a trail where the off-vehicles operated on the shoulder of the highway for a maximum distance of 1 kilometre and the vehicle is operated at speed of not more than 20 kilometres per hour.

Speaker, we recognize that as people enjoy their off-road vehicles across the province, they often have to ride along side a highway. I believe currently that's not contemplated in the legislation. We understand that sometimes they have to, but operators shouldn't be doing that for extended amounts.

Based on our consultations, we believe 1 kilometre is an appropriate amount to be travelling along side the highway, but the vehicle cannot be operated at a speed of more than 20 kilometres per hour. They have to be going relatively slow, or we certainly encourage slower than that as well.

Speaker, when towing trailers, hitches or attachments, they must meet specific safety requirements that we're proposing and operators are not permitted to tow passengers on or across a highway unless there is an exemption for a non-ambulatory situation. To me, that kind of wording didn't really make sense the first time I heard it. You think an ambulance and ambulatory but when you're referring to someone who's being transported in that kind of emergency situation, that's referred to as non-ambulatory and so that's kind of the wording in

our proposed legislation. If there was an emergency and someone was bringing someone on a Ski-Doo in a trailer to a local hospital in a snowstorm that would certainly be permitted, Speaker.

Another thing we've done is had a serious look at the fines. Previously, there was one set of fines for snowmobiles, one set of fines for ATVs, so we've kind of amalgamated them together and we've since checked the varying severity that someone might contravene one of the stipulations. So the new fines range from \$100 to \$2,500 for all vehicle types and we also have increased fines for second and subsequent offences, Speaker.

The Government of Newfoundland and Labrador recognizes the value of outdoor activities but safety really has to be a top priority in the minds of the owners and operators of off-road vehicles. I think the culture of safety is important to keep in mind; also I think the role of supervisors. If people own and operate these off-road vehicles, it's very important that anyone, their children or a friend or colleagues, who might be operating these vehicles really understand the power of the machines. I have read through multiple manuals myself now of different types of ATVs and snowmobiles and dirt bikes and we have to take heed to what the manufacturers recommend.

They know best and following those safety rules outlined that we're proposing today, but also that the manufacturer recommends, are very important in making sure that these machines are operated safely and also that there aren't any unintended consequences. We've heard a lot of stories where people are not physically able to handle certain vehicles. So I think that's also something very important that supervisors need to keep in mind when they are supervising other activities on off-road vehicles.

In terms of enforcement, I'd just like to thank the collective effort of those who enforce the legislation to ensure the law is upheld. I commend the Royal Canadian Mounted Police, the Royal Newfoundland Constabulary, resources enforcement officers with the Department of Fisheries, Forestry and Agriculture and other peace officers who work

tirelessly to enforce and education the public on off-road vehicle safety.

I look forward to the debate today, Speaker. I'm not sure that we're going to get to Committee today but whenever we're ready, we have lots of – I'm sure it will be a long session of lots of Q & A's because we have a very substantial piece of legislation.

I guess I would just stress that safety is everyone's responsibility and I think our rules are only as good as people follow. I would implore everyone across the province to follow our rules and even go above and beyond that to think about safety when they are operating and enjoying their off-road vehicles.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland,

L. O'DRISCOLL: Thank you, Speaker.

First of all, I'd like to say it's an honour to speak in this House today to represent the beautiful District of Ferryland and certainly a great honour to do that.

First of all, let me start by thanking the officials in the department for providing us with – and my colleagues that were there – a briefing on the legislation. I would certainly like to thank them for that.

Speaker, this legislation will repeal the *Motorized Snow Vehicles and All-Terrain Vehicles Act* and replace it with the new act entitled, the *Off-Road Vehicles Act*. In implementing a new act, it is important and the hope of the minister and of the department that off-road vehicles such as ATVs, Side By Sides, dirt bikes and others will be used to increase safety and provisions.

I heard the minister say: Think about your own use. I don't know if I want to go back and look at my own use on an ATV when I was young; I don't know if I want to even speak about it. Some of the stuff that we did, I don't know if it would be so safe today. You learn over time

how it should be handled and how they all should be taken care of and driven with respect. Sometimes that's what we have to teach our kids and, hopefully, pass that on to our grandkids and so on. But sometimes speaking of your own use might not be so good sometimes, so just to touch on that.

Speaker, we support the safe use of off-road vehicles. We recognize that these machines are, in fact, motorized vehicles and if not used properly they can result in serious injury and death. We encourage all residents and visitors to this province who use, ride and drive off-road vehicles to do so in a safe manner.

Before I talk about the specific legislation, I do want to take a moment to express my sympathies to those individuals who had loved ones die from accidents and collisions involving off-road vehicles in our province. I also wish to give my best wishes to individuals who have been injured by these vehicles and wish everyone who is dealing with an injury a speedy recovery and a full recovery.

Speaker, while recent history has shown that ATVs, Side By Sides, dirt bikes and other off-road vehicles can be dangerous, they can also be valuable tools. Many people in our province use them as tools for woodcutting, transportation, hunting, trapping and so on and all kinds of recreational use. It's important that the legislation and regulatory framework, which the province puts in place, allows for practical and safe utilization of off-road vehicles. I believe all MHAs will agree to this point.

As a caucus, we are supportive of safety; however, we do have some questions about some of the elements contained in the legislation and we'll be bringing those specific questions into Committee. I look forward to this as it takes place in the next phase of debate; however, given this is not started yet, before the legislation, I want to talk about enforcement.

This legislation does not increase the enforcement of the rules. How can the minister expect safety to increase if enforcement doesn't increase? That's a very important piece of this. You had the RCMP today at a briefing and the RNC and they're strapped as it is right now. I get calls in my district regarding this and not

being able to enforce – nothing to do with ATVs, just to be able to answer calls with mental health and all other stuff that they respond to. To put more onus on the police forces – obviously, enforcement is going to be a very big factor in this and that's something that we should be looking at.

One of the components of this new act is that a person will not be allowed to operate a dirt bike unless they sit on the seat with their feet touching the ground and a person will not be allowed to operate a Side By Side unless both feet can reach the floor. For individuals who have a disability there are modification allowances in this legislation, but I have to wonder how the impacts of a person who has been driving a dirt bike or a Side By Side safely for years will now be prohibited from doing so. Is this really fair or is the height base a discrimination? So it's something that we have to consider for sure.

SOME HON. MEMBERS: Hear, hear!

L. O'DRISCOLL: One of the new features of this legislation is safety training. Safety training will be required for anyone under the age of 16 years of age, anyone who is registering an off-road vehicle for the first time or anyone convicted of an offence under the act.

We support the training for people under age 16 and for people who have been convicted of an offence under the act. However, we are concerned that the requirements of training for people who are registering an off-road vehicle for the first time may deter people from registering their off-road vehicles.

Presumably, a person who currently has an off-road vehicle registered does not have to take training as recognition for their ongoing safe usage. But what about the instance where a family owns an off-road vehicle, it's registered in the name of one individual, but the spouse and adult children have been using it safely. If one of those adult children now purchases their own off-road vehicle, do they need to take training, even though they have safely operated the vehicle for many years?

We haven't been provided with enough information to determine if this training will

make a difference in encouraging the safe off-road use of vehicles. We have questions about the training. Questions like: Who will be doing the training? Will not-for-profit organizations be allowed to offer it? Will not-for-profits offer it? When will training be available? What will the training cover? Will it be online or in-person training?

When I think about online training I'm not so sure sometimes, because us as Newfoundlanders have to find a way to get around to do the training. If you do it online you can go in and do it for your kid or something like that. So I'm not sure online training is a way that we – not saying it's not good, just a way that the right person is doing the right training. That's something that I don't know how you police that, but I think that's a tough one. I see your reasoning behind it, but I'm just wondering how we get around it and how we will get around it. Because there are always ways that we find ways to get around stuff.

We're also wondering if training should be mandatory for anyone regardless of age who does have a licence to drive a motorized vehicle on a public roadway. Has the minister considered this? Did this idea come up in consultations? What were the findings of the consultations?

The legislation also brings in some rules surrounding the towing of trailers. The legislation includes a definition of trailer and hitch requirements and indicates that persons can be towed in a trailer. But passengers cannot be riding in the trailer if the off-road vehicle is crossing a highway. This is a safety rule that makes sense, no question about it.

The risk of collision is greater on the roadway, so removing passengers, walking them across the road and resuming the ride makes sense. So no question, if you're towing somebody, you'd certainly look for the safest way to tow. If somebody's in a caboose behind that you're going across a road – obviously, we've done that when we were kids and we were in the back and they drove across a road, a good stretch of highway, not on a turn that you could look and go across the road safely and then go across a pond. So we've done that. I would say many people in this House have done that when they

were kids or as adults. You do it as safely as you can. Accidents sometimes are accidents. You just get in a situation that you didn't mean to get into and it happens. But sometimes we have to use common sense.

Under age limits and supervision, there's another area where the legislation makes changes. Currently there are different age requirements for the operation of a snowmobile and an ATV. Currently, an individual has to be 13 years of age to operate a snowmobile, while a person under 13 can operate a snowmobile if they're accompanied by another person who is 19 years of age and older. Regarding ATVs, currently the age to operate is 16, with a provision for a person age 14 to 16 to operate a smaller ATV, if they are supervised by someone who is 19 years and older.

I'm going to say, one time last year, I was driving through the community of Witless Bay, coming up the steep hill going towards Bay Bulls, my daughter was on the passenger side, and a dirt bike just shot right across in front of me – and we weren't close; more than the length of this Chamber away. It wasn't close for me to be hitting that person. They just flew across the road, never looked and never stopped.

Ten seconds later, there was a police car right behind them chasing them. I didn't know the kid; I found out after who it was – not my concern, but he had a passenger on the back. When they got across the road, the police officer passed him by, went ahead of him far enough, stopped the car and the bike went, bang, right off the back of the car. The police officer jumped out, the bike backed up far enough – it bounced far enough back. The bike went out, hauled around the vehicle, went down the road further toward the powerhouse, I call it; the cop got in the car, up the hill and went the other way. That was the end of the chase.

About an hour later, I went back home and went down to the police station in Bay Bulls to look at the car; a fair-size dent and I spoke to the police officer. I wasn't looking to get anybody in trouble and certainly never done that. At the time I didn't even know who it was, but their hands are tied. No different than a high-speed chase in a car; they're not allowed to chase them

at a certain speed and they're not allowed to chase them on a bike.

I'm sure they can race them in a police car, no doubt about it, but it was concerning. When I seen him shooting across the road – and listen, I've met the police on my bike and wondering if you should be driving or not. It's only the summer that I needed to go to my brother's house to get a trailer. My bike is home in my yard and there was a couple of kilometres to go along the sides the road to get up where it was. I don't have a truck and I wanted a trailer to use, so I stopped a police officer and I asked him: Am I allowed to drive the bike alongside the road to go up here to get that trailer?

He said: Really you're not, but it depends on who's hauling you in and how busy they are. I seen them in my community going along with trailers – some people are hauling wood. They're not going to haul those people in that are hauling wood. That's a source of heat for those people, but I elected not to take my bike and I'm not going to be the MHA getting hauled in on the side of the road by the police officer, getting a ticket. I had to go get a loan of a truck to go get the trailer to bring out. So they were strapped to be able to do that. I wanted to throw that in there that they're certainly pushed to the limits in regard to being able to enforce. That's certainly big.

I'll go back to where I was. The new legislation sets age requirements for an off-road vehicle to do the same. So individuals who are under 13 are not permitted to operate an off-road vehicle with an engine greater than 125cc, and those under 16 years of age must be supervised by a licensed driver who is at least the age of 18. As noted, some individuals, those under 16, will need to be supervised when using off-road vehicles. So combining this one age group is certainly a good start, I think, instead of wondering if you're 13 or 16. I think it's a good start.

This new act will now require that off-road vehicle operators and passengers must wear an appropriate helmet. We have been told that there will be an exemption in the regulations that helmets will not be required when the off-road vehicle is being used for hunting or trapping activities and that the vehicle is travelling less

than 20 kilometres. Again, less than 20 kilometres. It's about enforcement. They don't have a radar gun for 20 kilometres.

SOME HON. MEMBERS: Oh, oh!

SPEAKER (Warr): Order, please!

Thank you.

L. O'DRISCOLL: Thank you, Mr. Speaker.

We certainly support wearing a helmet on ATVs, dirt bikes, snowmobiles and whatever the motorized vehicle is. We certainly do. However, we have some questions about wearing of helmets when the person is driving a Side-By-Side vehicle: How a helmet will impact a driver's line of vision when there are already roll bars and other parts of the vehicle in the line of sight.

We also have concerns about the practical element. Some of the Side By Sides are enclosed and do not have air flowing. With a helmet making these uncomfortable, probably steaming up masks if they have them on or helmets with the visors on them, so something that should be looked at.

Seat belts will be required to be worn in any off-road vehicle which is equipped in off-road vehicles. We support the use of seat belts for using off-road vehicles when they are available in an off-road vehicle.

So, Speaker, while we want to increase the safe use of these off-road vehicles, we do have some questions about how the legislation will be implemented. This new legislation does not change the enforcement related to ATV, Side By Side or snowmobile safety. It does outline the legislation regulations will be enforced by any police officer or peace officer, including those in Wildlife Enforcement Division. Do we have enough officers employed in this province to enforce this legislation? I'd have to question that. Will more officers be required?

I was also concerned about the new roles communicated to people who own and use off-road vehicles. In a briefing we were told the safety organizations and trail organizations would spread the word, but not everyone is a

member. I don't want a person to learn about these rules for the first time when they get a fine or hauled in for breaking or violating the rules.

Mr. Speaker, I also have concerns about the consultation process with the government to this legislation. I'm aware that a number of organizations were consulted. But what about the average off-road user who isn't a member of this organization? You have to keep them in mind.

Speaker, we are in support of making off-road vehicle use safer in the province; however, we are concerned that there's not enough enforcement of the legislation already in place, and we have concerns about some of the practical implementation of what is contained in the proposed legislation.

I'll also go as far as to say that when the Minister of Transportation and Infrastructure is doing some roads – hopefully my roads along the way. Some of these roads, when you're going along some of these highways, you see there are wood roads and hopefully, when they're doing some of these roads, they consider and make them safe to be able to enter these tracks, or roads or whatever they're called.

In my district, I'm going to say there's a group that are fighting or petitioning for, or whatever you may call it, to try to upgrade our rail system where we are. I know the trains are gone, but the rail system, the roads and the tracks, what we call them, are still there. In Central Newfoundland, I mean, we're envious of the Port Blandford area, Grand Falls area. It's a great economy that they have there. I was out in Terra Nova the summer at a golf tournament fundraiser and I looked at the pile of ATVs and quads that were at the hotel, having lunch and staying there for the night; it was incredible.

In my district – and that's something that we're going to work on, hopefully – I think there's something there that we can join all these railway tracks back up. They did go across the Island; they did touch every community. So I think if we put some emphasis on that, it will help. Like, I'm looking in the Town of Bay Bulls to go to Trepassey. There are times you can't go anywhere but on the road to get to the next community. There are roads that you just

can't get through, riverbeds, but the tracks were there. Listen, to say to go back and do them all, but there got to be some funding that can help join these communities, whether it be half a kilometre in the woods or to make trails, I think it's something that we could certainly look at.

The difference between two districts – so every MHA here, I would think, would have different angles on this ATV legislation and how it affects them. I'm looking forward to seeing how it affects Grand Falls-Windsor and how it affects Terra Nova. It's certainly not going to affect St. John's East in the middle of the road on an ATV – I wouldn't think. Unless you get a Snowmageddon when they got the Ski-Doos on the roads.

Everybody will have a different spin on this and we certainly can't touch it all, but I'm sure there's going to be some great points brought up, so I'd certainly like to take the time and thank you so much.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Speaker.

I'm going to have a few words on this today, and I thank the government and the Opposition for letting me have a few words now. I have appointments later, so I just want to thank them for that, on both sides.

Speaker, first of all, I heard the minister and I heard the Opposition critic talk about the families that lost people through this. It is a sad situation in the Province of Newfoundland and Labrador. It has been ongoing for a while and the regulations brought in today are fairly good regulations. There are some that I feel needs to be a bit adjusted, but to the families that lost the loved ones, I join everybody to say that we're saddened that happened over the years. Hopefully, these regulations here will help that no other families will have to go through that.

To the minister, for the work that's done with that, you and the staff and reaching out to a lot

of groups, I just want to recognize that it is a fairly comprehensive review. I'll just bring up – because we'll have time in Committee to ask questions – some of the concerns that were raised to me.

I know we heard – and I know the Opposition has raised it and I know the government has heard it also – concerns about wearing helmets in the factory-sealed Side By Sides. I call it factory-seals because I'm not an advocate of too much on the ATVs. I have a Kubota, but I'm not up on it as a lot of other people across the province are. I admit that, but the ones that I'm speaking to on the West Coast, they always use the words factory sealed, which has a seat belt, which has windows, which has steel doors and the frames and has roll bars and things like that. That's what they usually call the factory seals; it's not the open ones where you have canvas on the side or maybe on the roof. That's what I mean by that.

That's one of the concerns that has been brought to me is concerning wearing helmets in one of those vehicles. I'll just give you an example that someone tossed out to me. As we know, we're promoting this across the trails of Newfoundland and Labrador. If someone left Clarendville, came towards Corner Brook for four or five hours with four people in there, they have to have a helmet on for four hours in a vehicle; air conditioning, you're going to need air conditioning. If anybody ever used one of those vehicles and put a helmet on and tried to put your head back so that you can look properly or ensure the safety of where you're driving, it's very difficult.

Most of those vehicles – I know the information that I'm getting from a lot of people – they're not the speed demons like some of the other ones. These here are not the fast ATVs that we see and these here have a lot more protection in a lot of these vehicles.

I heard the minister earlier – and here's the problem I have is that we're going to keep it in the bill, about the helmets; we're going to keep it in the bill, but then we're going to put it in the regulations: may or may not in the regulations. Here's the problem I have with that. Once we keep it in the act, it's up to someone in the department to change the regulations. It's out of

the control of this House of Assembly. That's the way it works. But if we can get it in the act that these factory-sealed Side By Sides don't have to wear helmets, they can't put it in the regulations.

Right now, if we agree to this here and let this go, somewhere along the road, three, four or five months, someone sitting in the office can change this and say, okay, we have to wear helmets. It's out of our control. Or they may say, no, we don't need helmets. Two years later, somebody can come back and review the regulations and change it. So once that happens, this here could be a see-saw. If someone one year wants to have it done, they can do it; they can take it out.

Because if it's in the act itself – and I'll just explain it to the people – it's out of the control of this Legislature; it's in the control of the minister and the people who are making the regulations, not the act. So this is why it's important – and I know there may be motions put in to have this taken out. I'm going to support that. I will say that now, Mr. Speaker, because we can't let it just go in regulations and depend on someone who, all of a sudden, wants to change it.

Once you keep it out of the act, then we can say, okay, it's a dead issue. But if we keep it in the act and go through the regulations, this may come up every year, year after year. It may change back and forth on a regular basis.

I urge the government to consider – and I understand there are going to be amendments made – I urge the government to look at changing that amendment, because it is an issue, the major issue that we find – that I've been receiving – on this here.

A lot of people who are family orientated, have been driving for years, they all go across the province. They use their vehicles a lot, and they in turn feel that this is more of a safety hazard wearing one, than not wearing one because of the conditions that you put yourself under.

Some part of the act that I see is that if you're moose hunting, you don't have to wear one. So if I'm moose hunting, I'm drive 50 kilometres along a road, I don't have to wear one, because, okay, I'm moose hunting. Yet, if some family

members are taking – three or four families are in their bikes and they're driving 30, 40 kilometres, they have to wear one.

If I'm going turr hunting, I don't have to wear one. I can go all day and not wear one.

AN HON. MEMBER: I don't know where you get your turrs.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: But I'll ask you a question, though. I know people say turr hunting, how many people would say: I don't need any helmet because I'm going turr hunting today? That's my point. All you have to say is I'm going turr hunting today.

It's very easy; there is no one who can say that you're not. This is the issue with the regulations that once you start putting it in that –

AN HON. MEMBER: Partridge hunting.

E. JOYCE: Partridge hunting or turr hunting, same thing. Partridge hunting is another example. This is an example, I'm saying I'm going partridge hunting today; you don't have to wear a helmet. Yet, the families that are going across the province – I won't belabour that and I ask the minister to consider that because that is the biggest issue that I heard on the West Coast for that. I know there are a lot of other Members getting emails also on the West Coast about that also, because I know they're being sent around.

The other part I would look at is the enforcement. It's tough; it's actually tough. I know a lot of us out here, when we hear from towns about lack of enforcement; it's tough on the enforcement people. It's more of an education process. It's hard to blame it on the Royal Newfoundland Constabulary or the provincial enforcement officers or the RCMP because Newfoundland and Labrador is a large place, very large. I just use the RCMP as an example. There is one member in the nighttime going, say, from Pasadena out to almost Stephenville; got to go to the North Shore, South Shore, all that area and there are a lot of times there are a lot of people going on the roads with their bikes and it is hard to enforce.

I see in the act that someone going along the road at less than 20 kilometres up to a distance of one kilometre to catch the road – I agree with that – and have to haul off if there are vehicles coming. That's a great move, if we have that that would stop a lot of people from accessing the roads and the woods in the province.

Also with the training, I know it was brought up a couple times, myself and my colleague, the Member for Mount Pearl - Southlands, discussed it. The new training under 16, that's good. But I'll just give an example: most vehicles are supposed to be registered today; they're supposed to be registered and have insurance. What if somebody don't have it and now they say, okay, I want to go register my vehicle? Say they're 60 or 70 years old, my age, and then they have to do the mandatory training, even though they were riding the bike.

Is there any way to grandfather in – if you had some way to look at that, to grandfather someone in, even though they could probably be using an ATV for a number of years around. That's something that was brought up and discussed.

The other thing is fines. I agree with the hefty fines. I don't know how we can make it any stronger with the fines because if you deter people through fines – and I know through Service NL with the vehicles, when you impound vehicles and then they have a cost for the storage, it is another deterrent for that.

Another thing, I say to the minister, that was brought to my attention and will be brought up during Committee is the trailers. There's a size put on the trailers. The question that was brought to my attention: The size of the trailers carrying the wood – is that when you cross a highway or is it in a woods road? A lot of people hauling their wood out in the wintertime but some use it in the summertime when they come out with the Side By Sides, hook in the trailer, and it might not be as long and some of the wood may be sticking out. It's mainly on a woods road and they put it aboard their truck. That's another issue that was brought to my attention that I'll bring up and I'll speak about.

I'll save some of the questions that I have for the Committee stage, but all in all this is a great step

to improve the safety in the Province of Newfoundland and Labrador. Hopefully, with the education and a bit more enforcement and people understanding the seriousness of these speed demons – some of them are very, very fast machines. Also we need regulations, about 150 metres, the sight for a car to cross the road; I agree with that. That is a major issue crossing any highway. That is a very, very big issue.

All in all, the vast majority of this bill, I will be supporting, but I just wanted to raise those few concerns that I received from people that passed on input to me from that. These are very responsible adults, families who travel a lot on our systems in Newfoundland and Labrador.

Thank you, Speaker, for the opportunity. I thank the government and the Opposition for giving me an opportunity to speak on this earlier.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

I recognize the hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you, Speaker.

I look forward to my opportunity to speak on the new ATV and off-road vehicle legislation introduced here by the minister today. Like the Member opposite, I pretty well grew up on either an ATV, whether it be a Ski-Doo or a dirt bike, a quad or now a Side By Side. So I guess I can speak of it from back when I was seven years old, I probably rode my first Ski-Doo as a driver, and the first machine we had was a 12 horsepower and you cut your lip open more times trying to start the thing than you did of anything else. If anybody remembers compression on that thing, it was like starting a bomb.

Like the Member for Ferryland said, probably broke a few laws over the years because, back when I was seven years old, no one hardly knew what a helmet was. I mean, you go out in boat, no one knew what a life jacket was. We've changed so much. The machines have changed so much, Mr. Speaker. We're gone from a

single-cylinder machine now to multiples; sometimes a four cylinder wouldn't be outrageous to expect to see in some of these machines.

The Member opposite talked about training. When we learned on what we had, it was very small machines. I know I live in an area and I spend a lot of time in the wintertime on my Ski-Doo and in the offseason on either the quad or the Side By Side, in which you would see a lot of younger people.

The minister talked about the accidents that happen out there. A lot of the accidents and a lot of the reason it happens is anybody, and myself included from time to time, being irresponsible on the machine. Any other way, you probably would never have an accident. I know it's safe if you stay home, but the recreation and getting outdoors – and this is not meant to cripple that industry whatsoever.

If you go to Port aux Basques, anybody been to Port aux Basques lately, you'll see where there's a diversion from the ferry that goes up by the Tim Horton's store because now we've attracted ATV users to this province and off-road vehicles. We have a system that can take you from St. John's to Port aux Basques and a good many loops in between. So we have something here that we need to grow and continue to grow and ensure that the people use it in a safe manner.

If you look at the safety, I really get the safety aspect of it. I saw too many accidents where people have done too many dumb things. A lot of the times you'll get away with a close call, but when you don't get away with a close call is when you become a stat, and that's not what we need. We need to be responsible on these machines. Big or small, it doesn't matter.

So if you look at towing – we've all did it. I can remember we had a 16 Elan. I don't know if you guys are old enough to remember those little plastic super sliders that you strap onto your boots, but we basically invented water skiing on snow a long time ago. I mean, you'd be skimming by picket fences like something half crazy and lucky we all got our limbs to walk from it today. If you look at the safety bit, we've

evolved so much and where we're are, we need to look at it.

Side By Sides – I bought a new Side By Side last year. So I understand the Side By Side. I understand the mentality. I understand the full-on enclosure, the rollover protection and all that sort of thing. But it's like anything, I guess, the safest way you can be anytime is use all the safety equipment you got. But I think the safest thing you can be is a very, very responsible driver out of it all.

I'm going to pick somewhat on the parents because sometimes – and I take responsibility for this. I think my daughter was eight when I bought her a Bravo. Now, I bought her the Bravo and a helmet because I did realize by that time that she needed a helmet. They were piled on that three and four thick, whatever they could get through and go on all day. So 20 years later, no accidents from her, she's evolved from a Bravo up to a bigger machine, but a helmet is always front and centre whenever we take our snow machine – always. Whenever we take the quad, the helmet is always there.

The safety of this is vitally important. For those people who don't use a machine, I can tell you when a helmet is really unsafe. It's when you cross a highway. If you cross a highway with a full-face, full-fledge helmet on, you've lost your vision on both sides. If you would look at any avid snowmobiler, you would see them grab hold of it by the chin and either push up the front or wear it that it comes down like this; that opens up their ears and their peripheral vision. It may not be the greatest thing to do but if you look at crossing a highway, it's the most dangerous time you're on a Ski-Doo because people come at you 60 miles an hour, pretty quick.

We saw that over the years. We hear it in the news. You cannot avoid it in this province because we have so many crossing. That's almost like telling a moose don't cross the road. I'm responsible in my department for enforcement. You have to be realistic. It comes back again to the safety, the knowledge of the operator.

If someone has never purchased a snow machine before and they come in to the dealership and

you deck them out in the best of gear and the best of helmets, with all the communication systems, without their knowledge, they are going to do so much wrong trying to learn it's not even going to be funny. They're going to endanger my life coming towards them because they're going to think they're going to get on this – I know of people got on it for the first time, pinned it in to get across the road, ended up in the trees. Took a full crew of people to get them back out. Not saying they're close to me, but I know them very, very well. But it happens.

That comes from, to be honest, the training side of it.

AN HON. MEMBER: Inexperience.

D. BRAGG: And inexperience, 100 per cent. That can come in all ways.

One of the Members opposite said if Grandfather had a Ski-Doo and gave it to me, I know what I'm doing on the Ski-Doo. I may have never registered because it was still in Grandfather's shed when I used it. There's going to be some of that. I think our target is definitely the younger people as they come up and the very, very first-time buyer has to be a target. We need training for that.

I'm sure the dealerships, they'll tell you where all the gadgets are. When I got in the Side By Side for the first time, the guy selling it to me sat in the other seat. Not much unlike when you buy a car now, because there are that many gadgets on a car you almost need to bring it home, sit in it, wait until it gets dark and figure out where everything is to. That's almost where we're to with those new machines.

The technology is so much. There are that many gadgets. There are switches for this, switches for that. When I operate mine I tell my wife, you're in charge of the wipers, because that switch is way over there. I'm focused on the road. Not that I'm driving that fast – full disclosure, Mr. Speaker, but I'm not as young as I used to be when it comes to that.

So all the way through when we look at this, we have to agree, safety has to be the number one thing. There's not one of us here that one of our friends either (a) had an accident that they

hardly walked away from, or (b) had such a close call they are so lucky to be breathing today. Every one of us.

Now, there's a culture that goes with this too that we're never going to address. We all know what that culture is in the backcountry, in the off roads. There are things that go on there. People need to be responsible. I call it out for what it is.

Again, if you've been around it, you see it. Everybody who's in the country would know, we collect together, we gather together; we're social people when it comes to snow machines.

Out our way now you have groomed trails. There are groomed trails in much of the province.

The snowmobile association is probably the most structured of the associations for off-road vehicles, because they have a system of trail passes. They improve trails; they cut brush. But the ATV or I guess the quad, for lack of a better word, you can take that to the brink of wherever you can walk. But most people on Ski-Doos today are on groomed trails or cut trails down to cabins.

So this is vitally important. Are there going to be asterisks of this that everybody is going to agree with? Yes, for sure, there are going to be. Everybody's never going to agree with everything. But this is a good start to get us where we need to be. We need to make sure – and we need to practice this everyday. Training and safety should be done.

You take when the season opens up, you hear talk about early in the season a lot of motorcycle accidents as soon as they come out. A lot of my friends drive motorcycles – I never did – and they say cars don't respect them, but after a while you get used to a motorcycle as the year goes on.

You've got a snowmobile in your garage that most people are only going to pull out on the weekend. I mean, I pass it when I hit the highway to Gambo on a Friday, if I'm going towards St. John's, there's a mass exodus of trucks and trailers going to the West Coast for some of the best snowmobiling they can find. That's people who haven't been on it since last

year. But you need to just build yourself into it and get used to it.

You can't go from zero to 60 on those things without having a feel for the machine. It doesn't turn like a car, let's be fair. I go back to the 12 Elan, that didn't turn at all. I mean, if you didn't put your foot down on that thing you weren't getting around the corner. Today, you just need to know what your machine can do and what your abilities are. I think that's the most important thing of all this.

We can never bring in legislation so that people would know exactly where that's to. I can't stress safety enough. The enforcement side of it. We can all say there's not enough enforcement. We got to be smart enough to enforce ourselves. We're on the highway; we know what the speed limit is so we don't double that. So if we're up in the backcountry, we should know what our ability is.

I think the important thing to get out of this – and I direct this to the minister – is that people understand we're not trying to dissuade them from using their machines. We're encouraging them to use their machines. We're encouraging them to get out, but be safe and practice safety at all times.

With that, I take my chair that I already got and I thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

I echo some of the comments made by the previous speakers with regard to safety. I've seen first hand what it's like for someone to get injured on snowmobile and ATV and I would say it's paramount that we enforce a lot of our actions ourselves when we're operating these vehicles.

Because it's fresh in my mind, I'll go right to what the Member for Humber - Bay of Islands was discussing with regard to helmets in Side By Sides. The word culture came up and changing – having a culture of safety.

When Bull Arm was on the go that was their catch phrase: culture of safety. One of the first things they did was enforce mandatory hard hats for everything, as did the Vale Inco site, actually. But it didn't work and I'll tell you why – I'm putting this in preference to Side By Sides.

If you went in on site, the minute you went through the security gates you had to have a hard hat on in a vehicle, whether it was a pickup truck or a dump truck or a tractor-trailer delivering goods. If it was DHL delivering or anyone, you put a hard hat on.

What they found was – the first thing is that there was a few very significant injuries in some of these vehicles because of compaction, certainly in larger vehicles. The hard hat eliminated their ability to maneuver inside the vehicle and if they hit a bump or anything, they'd compressed and there were neck-compression injuries, serious ones.

When I think about a Side By Side and I look at factory-installed roll bars and either a three- or a four-point harness, which, by the way, in most of the new vehicles, if you don't have your harness engaged, your vehicle is governed out, a lot of them now. The new ones won't do over 15 kilometres an hour unless the seat belt is fastened. You sit back in a molded seat in a lot of these things now and the helmet will actually impede your ability to sit in the seat in a proper fashion and utilize your seat belt.

The next thing I would say is that there is a significant amount of vision loss from a peripheral standpoint if you're inside a Side By Side with an enclosure and you try to turn your head to look and see if you can turn left or right, and that would concern me. I would actually think that a helmet inside of a Side By Side – a Side By Side that meets specific regulations, with factory-installed roll bars and three- or four-point harness where people are strapped in – may be more dangerous. I believe that if you can do a jurisdictional scan you'll find out that there's a belief out there that that's the case.

AN HON. MEMBER: (Inaudible.)

L. PARROTT: Yeah.

The other note I'll say is that inside of these vehicles, with the exception of the very expensive ones, \$40,000, \$50,000, they don't have air conditioning; all of the heat comes up through the centre console where you change your gears. In the summertime, which is when they're used, they become extremely hot. I can't imagine being in a Side By Side with a helmet on in the summer. I just can't imagine how it's a safe scenario, whatsoever.

But, having said that, you know, education is key. I believe that we really need to consider looking at the helmet legislation inside Side By Sides. I'm strongly behind helmet legislation for snowmobiles, which it baffles me that it has never been in place. It baffles me. You can go out and buy an 850 Bombardier machine now, I think, with somewhere around 170, 169 horsepower and these machines weigh 400 pounds. Do the math, right? It's incredible, the power behind them, and people are doing 100 miles an hour on them and no helmets.

So I support that strongly, and ATVs, but they're not similar. I mean, I can get aboard a convertible car and not wear a helmet, which I would say is as dangerous, or more dangerous, than a Side By Side when you think about it. I can get aboard a Jeep and take off the shroud and drive off road and not have to wear a helmet, and not entirely dissimilar, right?

I guess my point is – and I will be talking more about it when we get to Committee – I'm strongly in favour of having a very close look at whether or not we enforce or legislate mandatory helmets inside Side By Sides that have factory-installed roll bars and three- or four-point harnesses. I strongly suggest that if any ATV, Side By Side or snowmobile – well obviously, ATVs and snowmobiles don't have it – but if there are seat belts, they have to be mandatory. I strongly believe that. But I think we have to have a closer look at the mandatory helmet portion inside Side By Sides.

It's a way of life here in Newfoundland, to get outdoors and get on your snowmobiles and your ATVs and all that good stuff. It's great to see what so many municipalities across the province have done when they're broadening people's ability to get in and out of town. I believe that it's important that MNL engage the Snowmobile

Federation and the ATV federation and have a close look at how they can make that safer and better.

One of the things I believe that we fail in as a government is signage on the scheduled trails. What I mean by that is if we look at the rail bed that people come across, I think that there could be more signage and that would be a great addition to education and changing the culture. Put up some speed limit signs, put up some directional signs and reminding signs and all that good stuff.

Ownership of an ATV, as was highlighted earlier, doesn't necessarily mean that there aren't multiple people inside one family unit that use that ATV. So the whole idea of doing courses for the first time you register an ATV, I think, has to be looked at a little closer because the reality of it is that there are multiple people inside a household that utilize one single machine but not all of them have ownership on the registration. I think it's a key component that we need to look at.

One of the things that I look at is 125cc regulation for, I believe, kids under 13. To put that in perspective, a 125cc motorcycle is not at all similar to a 125cc four-wheeler or a 125cc track vehicle. When I think about a 125cc motorcycle, I think like a YZ, and these bikes are beasts and there's a whole lot of power there. But when you look at a snowmobile and you think 125ccs, they're not out there for kids of that size to drive. It's just not there.

You're talking about Kitty Cats and the Mini Zs. You're not even talking about a Bravo or a Tundra, which is the size of a snowmobile that a child would drive at that age. I believe that a Tundra is 250ccs or you can go to a 380 fan driven. It's something that needs to be looked at. My boy just turned 13 years old, but I can tell you he can't fit on a 125cc ATV or a 125cc snowmobile. They're just not out there to get.

So I believe we're missing the boat on that, but I think it's something that we should look at. We should differentiate between two-wheeled, four-wheeled and tracked vehicles when we look at the 125cc ratio.

As we all know, safety is foremost and you should understand how you're operating this stuff. I believe it is important for government to try and educate the people who use ATVs, snowmobiles and Side By Sides. Enforcement is a huge part of it and self-enforcement is a huge part of it.

I have a Side By Side; I have snowmobiles. We use them; we love them. What I don't see much of is enforcement, certainly in the backcountry, and I don't anticipate we will. But when you get on the groomed trails and you're going places, I do believe that there could be a little more – if for nothing else – educational-type checkpoints and stuff just to keep people honest, I guess, for lack of a better way of putting it.

Because there is a culture when you're looking at snowmobiles and ATVs. And the reality of it is that we all know what happens when people get out in the backcountry and how they get to and from there are registered trails. When you have a 16-year-old kid out on snowmobile and there's a family coming back from a cabin or whatever, speed limits and all that good stuff, it's not always safe.

The whole idea of Side-By-Side legislation is the one thing I'll go back on again. I've heard so much in the last three days about it. I'm inundated with emails and phone calls from people that are responsible and know how to operate and understand that it could be a dangerous piece of legislation when you look at it.

As the Minister of Fisheries said – not Fisheries, sorry –

AN HON. MEMBER: Forestry, fisheries and agriculture.

L. PARROTT: – Fisheries, Forestry and Agriculture said – you lose your peripheral vision. If you're operating a Side By Side on a track – we'll say, we'll use the track – and you're coming around a turn and you're doing different things, when you look to your left as a driver and try and look out your window and you have a helmet on, you'll quickly see how dangerous that can be. And most of these rigs do not have mirrors on the side. For a reason, because if you put mirrors on the side the only

thing you'd be able to pick out are headlights, because they vibrate so much. They're never in cue; they just don't work. It's just not a situation you can utilize. I'm very, very, very concerned about that part.

So we're going to Committee on this next maybe today, maybe next week. Who knows? Next week? I'll bring up more next week when we talk, but I just wanted to get it out there today that I think we should look very close at the helmet rule and seat belt rule for the Side By Sides.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

I recognize the hon. the Member for St. John's Centre.

J. DINN: Thank you, Speaker.

You might think that ATVs and snowmobiles are not a big issue in St. John's Centre until you go around Mundy Pond Road in the wintertime and you'll see plenty of snowmobile tracks. My cousin down in the east end met one as he was jogging along Portugal Cove Road, so they are here.

In many ways the legislation, I think, is accepting the fact that, look, they're a part of our lives. There's no use bemoaning the fact that they cross the highways and so on and so forth. But it's interesting, I think several months ago – and it was before the accident that occurred out by Paddy's Pond. I was heading west on the highway and pulled off the turnoff by Paddy's Pond and, lo and behold, here was a set of headlights coming towards me, to which I figured, okay, I'm going down the wrong way but it was an ATV, a large one, coming up. Now, there wasn't a whole lot of space. Then they proceeded to move on up, onto the side of the road but, obviously, there's no place for them to transition there.

I think this legislation is certainly going to improve things, but I think we need to be working with other departments as well, and I'll give you an example. First of all, enforcement –

I come from a teaching background and I can tell you, you can make up all the rules you want. If you're not prepared to enforce them, they do not mean anything.

To the colleague who spoke before me, it doesn't always have to be punitive; it can be simply a check along the way or a presence. You know yourself if you're driving along the highway, any place where there's no police present, speed limits creep up. I knew on the Southern Shore Highway, when I was driving back and forth, that once I counted one or two RCMP cruisers, I had the rest of the highway to myself. The fact is, human nature being what it is, we're going to get heavy on the foot and that's the same thing for ATVs.

Enforcement is going to be a key piece here, especially on the highway. I do like the idea of educational checkpoints but somewhere presence should be enough. Secondly, I think, in many ways, when we go to construct roads. You can tell where ATVs, especially ATVs, either drive along the road or cross the road, the drop from the pavement to the shoulder is enormous. For anyone, a car or a driver who has to pull off, it can cause an accident.

So I think, in many ways, if we know where they are, why not design the roads as such that there's an actual – I don't know, pavement on the road itself, on the side, or you have it set up so that there's a crossing. Maybe then, especially for those at night or in the day, flashing lights that are activated when the ATV crosses the road.

If this is about safety – I'm taking this bill to be about safety. It's not about, you know, getting money or anything like that. It's about safety. Well, then, let's incorporate safety measures into future road design; underpasses, overpasses, whatever you want, so that there's plenty of options.

If I remember correctly, out by Deer Lake, there's actually an underpass built in under the highway. I don't think –

AN HON. MEMBER: Dozens.

J. DINN: Dozens, right. I'm thinking in many ways we need to probably incorporate more of those.

From my point of view, it's good legislation. I certainly defer to the expertise of those who are avid ATV users about use of helmets and so on and so forth. I think helmets are something that's a very clear safety issue. But I think in road design, we can mitigate and cut down on accidents by just the road design and safety measures in place.

The only other thing I will say is training is paramount. I heard the Minister of Fisheries, Forestry and Agriculture speak about the older you get, the slower you get and you realize, do you know what? There are better things than being in traction in a hospital.

But young people, I can tell you, you just got to know the neurological development. The forward part of the brain is not developed. That's the whole thinking, hey, I probably shouldn't do this because – that develops much later; not until you're 25, in many cases. So that's why you get stupid actions being done mostly by young males, okay? Mostly by young males. We've all been there and you do stupid things, which you say after I shouldn't have done that, but repent later.

That's my only comment on it. I applaud the legislation and I look forward to hearing the further discussion on it.

Thank you.

SPEAKER: Thank you.

The hon. the Government House Leader.

S. CROCKER: Thank you very much, Speaker, for the opportunity.

The Member for St. John's Centre just brought my attention to the fact that I happen to have two of what he just described as under-25-year-old males. So thanks for the reminder.

Mr. Speaker, this is an important piece of legislation. First of all, to the minister and the department, this has taken a long time to

develop. It's an important piece of legislation in many ways, so I am going to try and be succinct.

One of the first things I want to start off doing, just because I have it here in front of me, is we talk about the jurisdictional scan. I'll tie this into where I'm going to go from a tourism side.

If you look at the provinces of Canada: Nova Scotia – I'm primarily going to talk about helmets, at this point. Nova Scotia: it is mandatory helmets, no exemptions. This is specifically around Side By Sides, the information I have here. Nova Scotia: there are no exemptions; New Brunswick: it's mandatory with no exemptions; Prince Edward Island: mandatory with no exemptions; Ontario: it's mandatory unless you're the land occupier – it's private property. That would be, I guess, more just around jurisdictions with large farmland as an issue. So, again, in public it would be mandatory in Ontario.

Quebec is a little different, it is mandatory except for around trapping activities. I believe that's one of the things that the minister has said that we will review in the regulation is trapping activities, but it's important to recognize that it is mandatory in Quebec. I would note Quebec is a leader in recreational-vehicle tourism in Canada. Quebec is where we would want to be when it comes to tourism for recreation in Canada.

The Alberta policy is a little different; I think it is somewhat closer to what I have heard here today: rollover protected structures and properly fastened seat belts. So this does exist in Canadian jurisdictions.

We go to British Columbia: it is mandatory; Saskatchewan: it's mandatory and eye protection is also mandatory in Saskatchewan; Manitoba: it is mandatory, there are some exemptions again around hunting and commercial fishing; Northwest Territories: it is mandatory only on highways; the Yukon: it is mandatory on highways and for anybody under 16.

So there are some discrepancies throughout the country when we look at this. I apologize to any province I might have omitted, but there is a consistency. A lot of times when we think about

cross-jurisdictional scans, the first thing we do is we look at the other four Atlantic provinces.

The Member for St. John's Centre just raised an important point about highway construction and the building of tourism.

ATV tourism has become very – it is a very large growing market in our province and something we're working towards. We've seen alterations in Port aux Basques, actually, for safety reason to ease vehicles coming off the boat.

I had the opportunity this summer to cross the Gulf and coming back I was astonished. I think I counted 13 machines coming over. It's because we have an awesome product in this province because you can get off a boat in Port aux Basques and get back on a boat in Argentea, so you haven't got to backtrack. That's a very attractive tourism product in the province.

I guess the thing is somebody coming here from our primary markets for ATV; they're used to mandatory helmets. Because if you're coming from Nova Scotia, New Brunswick, Prince Edward Island, Quebec or Ontario, we're only bringing in legislation that would be consistent to what they are used to in their jurisdiction. I think that's an important thing to point out.

In my former role as Transportation minister, I've had the opportunity to talk to Rick Noseworthy on a couple of occasions. Rick is certainly a provincial activist when it comes to tourism, trail development and developing our trail product. It's good today to see Rick come out and, as head of the Newfoundland and Labrador T'Railway Council, endorse the use of helmets in all-terrain vehicles and snowmobiles in this province.

Just to flick back – sorry, because I missed a point – to the roads discussion that the Member for St. John's Centre brought up. I do know that maybe three or four years back when we were developing or designing a new bridge for the north side of Humber - Bay of Islands, one of the considerations that was taken in, and that new bridge design actually has an ATV lane because there's no way off the upper part of the Humber - Bay of Islands, the north side, I guess, there's no way only using the main highway. So

the bridge design does have an ATV lane. We worked with the Newfoundland and Labrador Snowmobile Federation on that.

I agree totally. Any time we're designing roads or building roads – I know in my time in Transportation and Works it was often something that was brought up. I guess in a lot of cases, primarily, it was the Snowmobile Federation because, to an earlier Member's comments, they were and probably still are one of the more formalized groups. But, again, Rick Noseworthy and his group are quickly becoming a voice for responsible ATV users in this province.

I'm going to clue up now, but I'm going to read something first, because anybody who's familiar with the Conception Bay North, Trinity Bay area over the last couple of years, or three or four years, a young man, Adam Hindy, has taken it upon himself to organize many, many events. He's actually re-establishing the T'Railway – the branch actually – from Brigus Junction to Bay de Verde, the old railway bed. Not only him, but his group. He and his family have been large proponents of this. He would be who I would go to for advice in my region of the province when it comes to ATV usage and what we should be doing.

I'm just going to read his comment. I have his permission to do this. This was issued on Monday when there was some social media discussion around this – my phone is failing me. But, Mr. Speaker, it's important that we make sure that, as we go forward, we consult these groups. We do, as legislators, have to take our own messages and we have to be flexible. These things change over time. If you go back a lot of years, I can remember getting my father to adjust to wearing a seat belt. It was something that people didn't do. I can remember as a young kid running around in the back of a car. We changed that.

I can remember playing hockey. It was never good at it, but I didn't wear a helmet.

AN HON. MEMBER: (Inaudible.)

S. CROCKER: Yeah, the Leader of the Official Opposition just caught on to some of my issues in life.

Mr. Speaker, that is how we've moved with changes. I have now learned how to access my technology and I'm going to share the comments to conclude from Adam Hindy. This was on Monday.

"You know what? This can help!

"It's not a bad idea nor is it hard to put one on. We certainly struggle with this as it's new and always that initial response to kick up against new ideas.

"Many examples of where a lid can greatly change the outcome even in the cage.

"You hit an unexpected rock, dip patch of ice, etc., while travelling along a body of water. You whack your head off the cage, now you're unconscious heading for water. This could be your last ride. Much like riding along an area with an embankment.

"We put them on our kids and our kids are continuously watching our movements. Mom and Dad doesn't wear one so the next time they jump on their bike they feel they don't really need this on, like Mom or Dad does.

"Maybe it's time to think deeper than the tiny inconvenience of actually wearing a helmet. I sure do wish I was able to still ride with my buddy now instead of making a memorial in his name." A helmet that day would have saved his life.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

I'm just going to take a couple of minutes here now and have a few comments. I guess having been a safety practitioner for most of my working life, much of this for me is a no-brainer. Certainly if I was implementing a safety program at the workplace – and I have implemented many – one of the first things you go back to is you always talk about manufacturers' specifications. It is in the

Occupational Health and Safety Act and so on. Any type of machinery, equipment and so on that you would use, there is a reference in the health and safety regulations in the act of abiding by what the best practices are, as recommended by the manufacturer.

I don't think it is any secret to anybody. We all know these machines are very powerful, more powerful now than ever before. This is not something that is sort of fictitious, a what-if. Sadly, we have seen a number of people in this province, even in the last few months, who have lost their life needlessly perhaps, obviously, on an all-terrain vehicle.

I think we have a responsibility, no different than a responsibility that legislatures have taken when it comes to driving a regular automobile. There was a time that people didn't wear seat belts. I'm not sure if all cars had seat belts. I can remember, when we were younger, the cars didn't have seat belts.

Of course, as they did and the laws came in and the legislation came in that you had to wear seat belts, there was a lot of people who were very resistant to it; there is no doubt. I think a lot of what got people into it was the enforcement piece: getting hauled over by the police and getting a ticket. Then, even people who were resistant, once that was enforced and they had to pay that fine, they thought twice. So a lot of people begrudgingly, I would say, put on their seat belt.

Now, this day and age, for the most part, people get in their car and it is just like a natural thing; you get in, you put on the seat belt. That's what the majority of people do. They don't even think twice about it.

We can look at things like, as was mentioned, hockey. There was a time when you didn't have to wear a helmet when you played hockey. My God, when you go back far enough, back in the old Gump Worsley days and Johnny Bower – they were the goalies and here are pucks getting shot at them. They're ducking and getting shot at their head and everything. They didn't even wear a mask.

So you can see where things have gone, of course, when mandatory helmet use – I can

remember I was on Mount Pearl city council, as well as my colleague from Mount Pearl North, I do believe when we put in mandatory use of a helmet at the Glacier. If you wanted to go skating at the Glacier, you had to put on a helmet. That's not that many years ago. But most people now, they wouldn't even think about getting on the ice without putting on a helmet.

We can say the same thing for bicycles and everything else: people wear helmets. Because the statistics tell us that if you don't do those things and if you don't encourage your children to do those things – and you have to lead by example, of course – there have been serious injuries and fatalities as a result of people not wearing helmets.

When we talk about bringing in legislation and making it mandatory for helmets on Ski-Dos and ATVs and everything, it's hard to argue those statistics. It's hard to argue the rationale. Now, there are people out there that would say who are you to tell me I have to do this. If I don't wear a helmet and I get in an accident and I kill myself, well that's my choice, my freedom to do what I want. I suppose, in the United States, you don't have to wear a helmet on a motorcycle; I guess, because of that premise, that idea of personal choice and so on.

But certainly in our country and in our society, it's about the greater protection of the whole. It's sort of a different philosophy. It's about protecting the whole, as opposed to the individual right to do whatever you feel like doing.

So we have these laws and if we were to say yeah, you don't want to wear a helmet so you shouldn't have to, well then I guess we should be saying the same thing if you don't want to wear a helmet skating, you shouldn't have to; if you don't want to wear your seat belt, you shouldn't have to. But we've done all these things, it's been accepted and it's just the way it is.

It comes down to a cultural thing. It really comes down to a cultural thing. Even after this legislation is put in place, as my colleague from St. John's Centre has said, and others have said as well, that unless this is enforced, it's not

worth the paper it's written on. This legislation is going to be passed and there are going to be thousands of people out there in the backcountry and everything else, and they're still not going to wear it. They're not wearing it now. They're not going to wear it tomorrow. They're not going to wear it once this come into effect.

These vehicles are supposed to be registered now, I do believe. I think they're supposed to be registered. I think you're supposed to have insurance, I could be wrong on the insurance, but I know they're supposed to be registered. But how many ATVs are out there now – half the ATVs out there, there's no registration, there's no insurance, there's no nothing because there's nobody enforcing those rules.

I've gone moose hunting; I go moose hunting every year. When we talk about enforcement, and I'm not being critical of enforcement, I'm just making a point, I've been out moose hunting on a few occasions over the years where we came across a wildlife officer, or he came across us, whatever way you want to look at it. There were ATVs, Argos, quads, whatever there and the only thing he was interested in – and I remember one time there was an RCMP officer there as well – is have you got your hunter's card, got your licence, let me see your tags. All right, good enough, have a great day. That was it. At no point did the wildlife officer or the RCMP officer even look at the ATVs and the quads and everything else and ask: Is this thing registered? Do you have helmets? Do you have whatever? There was zero questions about it.

They were actually stopping hunters and enforcing one thing and just totally ignoring the other piece, never even questioned it. So if these things are not being enforced – and I understand that's who the primary enforces are probably going to be, are going to be the wildlife people. Maybe they weren't told they had to enforce it or maybe they knew, oh, yeah, we can do this but really our focus is making sure you have your moose licence. But maybe that focus needs to change because if you're going to put in any rules, it has to be enforced. There has to be an effort there to enforce.

It's interesting one of the TV shows I like to watch every now and then – I don't get to watch a lot of TV – it's called *North Woods Law*, I

think it's called, something like that and they're down in the States, in Maine and stuff. They're wildlife officers and they go around – maybe they're doing it all for TV, but, basically, when they're going around they're enforcing fishing, hunting, whatever, then they're checking out the ATVs and the Ski-doods. They're catching them speeding. They're at it all. They're kind of like the full-meal deal. When they go out on the trails they're looking for everything: hunting violations, motorized vehicle – everything. It makes a whole lot of sense. They're the enforcers, so once they're there they're enforcing all the laws, not just particular pieces here and there, whatever they happen to be looking at.

I think that's the way it needs to be with our enforcement officers. They need to understand the full suite of rules and regulations, whether it be the *Wild Life Regulations* or the ATV and snowmobile regulations. Then when they do a stop they need to be checking for everything, basically. That's what needs to happen to start enforcing this stuff.

I do have to say, I have received some emails, not a lot, but I got two or three. I wouldn't be getting as much, perhaps, as some people in the more rural areas. But there are certainly lots of people in Mount Pearl and St. John's that own ATVs and Ski-Doods. They may not be able to just jump aboard their ATV and go for a ride every evening like some who could just go in their backyard and go on in the rural areas, but a lot of people have them and they brings them up to their cabin or whatever the case might be.

I've had a couple of people with this same issue that's been raised here about the Side By Side. I do hear what they're saying and, of course, the concerns have already been raised about the peripheral vision, about the fact that you're inside of an enclosed vehicle, it's got roll bars and you got your seat belt on or whatever. Then their argument would be: It's no different than if I'm in a car or if I'm in a Jeep and going off-roading in a Jeep. What's the difference? I understand their argument.

Now, the counter argument, I suppose, to that, because I did speak to a gentleman yesterday evening who's very well versed in this stuff. He's very pro safety; there's no doubt about it.

Some people would say he's too safe. Some people say he's overkill, perhaps; it depends on your view on this stuff. But he did point out a couple of interesting things.

The first thing he told me – because I don't know, I don't own one of these – was that on these Side By Sides, even though it has doors, it has roll bars, a factory roof and all that kind of stuff, he told me he has one and written right on the – I think he said it was the steering column, or the steering wheel or whatever, there's a big tag on it he said, and it says: Helmet use recommended. So the manufacturer of that vehicle, big tag right on it saying that you should be wearing your helmet, in that particular vehicle.

The other point that he made, which he made a couple of others; another one he made was the fact that even though you're in a seat with your seat belt, he said if you're in your car and you had an accident or something, you bang into something (a) you have airbags in a car, which you don't have in this and (b) the seat of your car is a thick, plush cushion behind your head if your head snapped back, but it's like a hard sort of plastic type of thing. So it's like you'd really smack your head into the back of that could be much more dangerous.

The other point he made is that if you roll the thing over – roof or not – on its side, according to him – I'm only going by what he told me – there have been fatalities where someone rolled it over. But when that rolled over, you rolled over like on top of a big stump and someone ends up with a stump coming through their window and right through the side of their head and killing them, that you wouldn't have, necessarily, if you were in a car in an accident.

Now, we all know there are risks associated to anything. I mean, you could be driving down the highway and a moose could fly right through your windshield and onto your lap. That's happened, unfortunately. There are things that can happen. But these are some risks that he pointed out that, despite the argument about the uncomfortable nature and the peripheral piece, these are still real things that can happen to you if you don't have helmet, even in these vehicles. So I'm just putting out that there are counter-arguments there.

The other piece that he talked about, this proposal of potentially exempting people if they're going less than 20 kilometres an hour or whatever or if you're moose hunting on a quad even, you don't need to wear a helmet. Well, first of all, who's going to enforce the going 20 kilometres an hour piece? How does that ever get enforced or determined, for one thing?

Then the other thing is – and it is true – if you're moose hunting, as an example, well, if you're just driving your quad or your whatever through the woods on a trail, you're kind of concentrating on the trail and whatever, you're looking where you're going. If you're moose hunting your head is here, you're looking in the woods, you're trying to see a moose so you're not paying attention, necessarily, to the road the same as you would be – you're not paying attention to the trail in the same way because your head is going back and forth; you're trying to see a moose. You're distracted.

That actually puts you at greater risk of flipping the bike over or whatever than if you weren't. So that argument would basically say it's even more important to wear a helmet when you're distracted looking for a moose than it is when you're paying attention. There's a greater risk of having an accident moose hunting, therefore you probably need the helmet.

As far as this idea of, well, it's going to take time to take off the helmet to shoot the moose. The point he made – and it's hard to argue that as well – it only takes a second to take off your helmet and if those couple of seconds is going to make the difference between getting a shot at the moose or not, it probably wasn't a very safe shot to begin with. It's only going to take a couple of seconds to do it.

If you can't do that, then that means you're basically here on the bike, still on your bike with your gun in your hand trying to shoot at a moose as it's running through the woods. It's probably not a safe practice anyway.

I guess the point is that there are counter-arguments on both sides. I do understand that the minister has said – and that's an important point to make and my colleague from Humber - Bay of Islands talked about this – the way this is worded now, these issues, if there were going to

be exemptions – there could be exemptions – it would fall to the regulations. And, of course, if it falls to the regulations that means it's out of the control of this House of Assembly because we're basically just saying to the minister: you decide.

While this minister might decide to put in the regulations that we're going to exempt it today, there could be a Cabinet shuffle, in theory, and another minister goes in and changes his mind or her mind and puts it back the other way, or a new administration comes in and puts it back the other way. There would never be any debate on the floor.

So once we pass it as is, then we are leaving it totally to the discretion of the government of the day, of the minister of the day, to do whatever they want in that regard. So that is a valid point that my colleague from Humber - Bay of Islands did make.

There's no doubt that there are two sides to the argument. I can see both sides, but it is interesting, the Government House Leader talked about the other provinces. That is an important point to note, I think, that every province in the country pretty much has mandatory use and apparently there's no issue. Perhaps, as much as anything else, this is a cultural thing, as much as anything else, like seat belts were and everything else. I've never had to do it, I don't want to do it, who are you to tell me I have to do it, type of idea, versus it being the right thing to do and the safe thing to do and what pretty much everybody else is doing.

I'm going to conclude, Mr. Speaker, by reiterating a couple of points that my colleague from St. John's Centre made because he was right on the money, I thought. I was going to say great minds think alike, but his mind is much greater than mine. I'll give him that.

AN HON. MEMBER: (Inaudible.)

P. LANE: What? And fools seldom differ.

Anyway, he did talk about the trail system and that was something I wanted to raise as well. If we're talking safety and so on, which we are, and we're trying to develop, not just a product for tourism from outside the province but even

for staycation and all those types of things, I think it is important that we continue to develop our trail system.

Part of developing the trail system, I believe, if we're serious about safety and everything else, is that there should be, periodically, along our trail system – I look at the rail bed as an example, the Newfoundland T' Railway, we should have signage and stuff there – more of it. Signage reminding people to wear your helmet and that type of thing or to say it is illegal not to wear your helmet and here's the fine, to have that posted along our trails or T' Railway.

If there are known ATV and Ski-Doo crossings along our highways and so on, I agree with them, there should be some (a) perhaps more pavement along that shoulder where that's happening, but, in addition to that, signage. If we could have signs saying moose crossing ahead, why would we not have some kind of a signage leading up to an area on a highway or a by-way where it is a known trail system that is literally crossing the highway? So why not have some sort of advanced warning signage for motorists and that to know that this is here.

Of course the other piece is just through general advertising and everything else. As an example, perhaps when people get their moose licence and their tags in the mail, perhaps there should be a little brochure, a little something stuck in the envelope about –

SPEAKER (Bennett): Order, please!

P. LANE: – the safety of ATVs.

SPEAKER: The Member's time has expired.

P. LANE: Thank you, Mr. Speaker.

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

Again, it's a pleasure to speak in the House of Assembly and represent the people of the Exploits District, especially on this *Off-Road Vehicles Act* because in my district, of course, it's a big thing in our way. We use ATVs, quads, snowmobiles, bikes, whatever: we use them in many different fashions, actually. Like the rest, I

have been getting some emails and phone calls and some conversations with people in the districts with different concerns. Again, I guess the big one, of course, is the helmets.

Anyway, Mr. Speaker, we use quads and bikes. Quads and dirt bikes are used on the – quads alone are more open; dirt bikes are faster. Quads are probably fast and they're used in a different fashion like for moose hunting, wood cutting, they're in a harder terrain than the Side By Sides.

Sometimes accidents do happen and you probably can't get away with that, but in that situation on a quad or a bike, I can see where the helmets do come into a big effect in that way because too many people, of course, have been injured and there's been fatalities, no doubt. This year has been an extreme year, probably, on fatalities and we don't want that happening by no means. That's one thing we're trying to avoid here.

But, Speaker, the bikes and the quads, again, like I say, are used in a big fashion in my way and I'm talking to people all the time in regards to bikes and quads.

Training, Mr. Speaker, is a big thing. I agree that under 16, training should be adhered to. They need some training. I know probably parents in our way would feel that some of the children are already trained. I've seen it and heard it that they have quads and bikes and they probably let the child on the front, you know, to push the gas, start off young, and then all of a sudden they're up to another couple of years later and they feel that they've been trained themselves. But that's probably not the way to be doing it. It should be educated through a facility or training courses that those people under 16 who are getting a new quad, new bike or new Side By Side – yeah, I can see training on that being done very well.

Education, of course, is needed to educate students or young people as they enter into their first quads and their first bikes of the dangers of what can happen if those machines are ill-used. The end result is not what we want when they're ill-used, I guarantee you, because it's not a call that a parent or a guardian wants to get when their child has received an injury on one of those machines and it's not something we want to

face. But it does happen, so education is key and training is key for those ages that are being implemented there. For 16s and 13s, I think training is a big key and education certainly is, too. You can put out letters and it's done on the machines themselves – it's already on the machines themselves now; especially on ATVs, there's a big X marked there: Under 16 not allowed and for supervision.

Speaker, I would agree with most of safety changes that's being implemented in this legislation. However, Side By Sides today are used in a different manner than the ATVs and the dirt bikes. Like I said, Side By Sides now are like pleasure machines. They are used on the groomed trails, used on the roads. You almost want a paved road for those things to be on now. But they come equipped with seat belts, they come equipped with roll bars and they come equipped with different aspects that can almost like a vehicle, a motorized – I know they're motorized, but they're like a car, they're like a little Jeep, they're like a truck and they are used in a different fashion than the quads and the dirt bikes.

I'm getting a lot of calls in regard to the helmets on the Side By Sides for those reasons. It's something that can be considered; it's something that needs to be taken into consideration, of course. But in regard to the Side By Sides, themselves, there are adults using those machines. They're the ones that buy it. They're working age of 19, 20 years old when they start, so they're of age to be using that. They're the ones that use it so they feel that we should reconsider the helmets for the Side By Sides and, like I say, within the fashion that they are used is a different fashion. I know that quads and dirt bikes, again, are used in a different way that people probably ill-use sometimes.

Changes are good, Speaker. Changes are really good. Safety is always paramount no matter what we try to do in this province, and we know safety is always needed in regard to the bikes and the dirt bikes. We've heard it again, like I say, through the last year and probably every time you turn on the news, you hear of a dirt bike accident or a quad accident and we need to certainly look after the safety aspect of that.

I've heard it here in the House and I'm hearing it all through my district is, again, enforcement. Enforcement is a big key. No matter what safety aspects you put in, no matter what aspects, to what degree you put it in, enforcement of those changes have to be made. That's where a lot of it has got to come, because I've talked to a lot of municipalities in our way. It's getting to the point that the municipalities are calling me and saying we have a big problem with dirt bikes, we have a big problem with quads on our roads, on our main streets, crossing the roads, in town. A lot of noise, a lot of interference and they're driving fast and that sort of thing.

So when you see accidents and that happen in our areas, it's mostly happening through causes like that. It's through people driving fast in the municipalities and access – again, maybe that comes through some education itself with regard to sitting down and talking to the municipalities of how access can be used more to trails and side roads that the vehicles can use. Maybe we talk more with the municipalities to see if there's any way we can work that way to provide access to the resource roads and the trails that we need to get on. But until they do, they're taking bypass routes on the main roads. That's becoming more and more common, more and more natural every day.

I'm sure every one of us here and every community we have we can say we've heard with regard to the quads and the dirt bikes and that going up and down the roads and up and down the streets, across the roads, noise in the nighttime. Maybe they can talk, again, to the towns to see if they can eliminate some of that. But most of it is, again, through enforcement.

How do we do that enforcement? Really, how do you do it? I heard the Minister of Fisheries, Forestry and Agriculture saying in regard to how they would be enforcing the rules. And he's right. How can you keep watch of every bike; how can you keep watch of every person? It does become a particular area that you really have to pay attention to. Do you put more officers out there; do you put more police officers out there? How do you control it?

Again, that would come from training and, no doubt, that the supervisors of some of those people would have to step up and place a greater

influence on how the operations and the uses of those vehicles can have bad impacts when it's ill-used. So a lot of training, again, got to come from the supervisors and the guardians of some of the people that are using those machines, Speaker.

But, again, the enforcement part would be a big key when you're putting in those laws. You can put in whatever safety aspects, whatever rules or whatever laws. If there's not more enforcement, then the impacts of it is not going to be the same. You know, fines can go up; you can put whatever in there. Again, it comes down to enforcement. Education, of course, is another key, like I mentioned, in regard to some parents, some guardians. Training, we need to do that in regard to the dirt bikes and the quads.

It's something that really needs to be done. We know that there's a problem; we know that safety aspects are being ignored. We know when we hear of a death on the highway, a death on a Side By Side, a death in a vehicle, it's something that none of us want to hear when it comes safety on our roadways, safety on our side roads, safety on our highways. Nobody wants to hear it, and I don't either.

Speaker, that's the things we need to do. We can put in the laws and we can put in all of that, but we need to address how we go to enforce those rules and how we train the people to adhere to those rules and be more respectful, probably, of the machine we're using. That's a weapon sometimes, especially when they're making them so big now. I can remember, like, probably when the three-wheelers came out they were only 250cc and now you got a four-by-four, you got up to 700, 800cc. That's for the quads themselves. That's a dangerous machine. It's a heavy machine. So when you're using that in the woods, like ill-using that, that will cause you trouble. That will cause you big harm, probably even more.

So education on all that, Mr. Speaker, and I know there are riding groups and that out there that are used for the training aspects, but some more of that needs to be done, probably in different areas, maybe in the Central area; probably more of that can be done there instead of having to go elsewhere to do the training.

This could be a joint effort probably with regards to the safety enforcement, probably a joint effort from the RCMP, municipalities and the enforcement officers that maybe you get somebody doing checkpoints. And I know with checkpoints, as soon as they know that there's an officer or something around, everybody stands still; stand down b'ys because they're in town. As soon as they're gone, bang; the quads and the bikes are started up again and they're going wherever and whenever and how fast they want to.

But it is something that we can sit down with the municipalities, I think, and have that discussion – a three-way discussion – to see if there's more enforcement, more ways we can do that. Again, like I say, the abusers, this is – and it's not just the youth, I'm not just directing this to the youth. This behaviour is in a number of users and a number of abusers, it goes through many age groups. So more has got to be done on a personal level to respect the laws, to respect the usages, to respect the safety and to respect the use of those machines.

Education would be a big key. Training, again, is another big key. Of course, that would be the four aspects – and enforcement, of course, would be another.

Other than that, Mr. Speaker, I can go on forever talking about those rules and regulations, but, again, enforcement and training would be the big keys in this hear so that we can keep the lives of people safe and keep more people safe from more of those accidents on those bikes. Because sometimes right now they're using machines that, really, they're powerful machines and when they mistreat those machines in a bad way, then, yeah, you're looking for trouble; you're really looking for trouble.

How we would put out the training on that, how we would advise people, but that would be a good solution to a lot of this is training. Other than that, Speaker, I'll leave it for now and I'll get a chance to, hopefully, speak on some of this again later or somebody else.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I'm sure everyone who's reading this are looking over at me and know that I'm quite the avid outdoors person and a massive fan of winter, much to the dismay of the Member from Mount Pearl - Southlands who I one time wished a white Christmas to and he didn't like that.

But, anyway, I am an avid outdoors person. I do spend a lot of time, especially in the wintertime, outside. I do own and have owned multiple snowmobiles. I enjoy it. The highlight of my winter is snowmobiling. So I do have a lot of questions about this.

One thing I do bring up is training, which is great. I know the RNC for a long time and the Ground Search and Rescue has put off snowmobile training and ATV stuff and outdoor stuff for youth in the community. But it was never mandatory; it was a volunteer basis. I'm okay with that. I think that's a really good first step in the sense that we should be teaching young people safe use of equipment.

But one thing I do ask, as the minister brings forward, is availability and the definition of availability because in the past when things were mandatory and we had to do these courses, availability in Labrador is a different thing. Do we really expect people to wait long periods of time to get these courses once they're done or are people who are trained to offer it, are the same people that are offering it now, will they be able to be qualified to train others? So that's one thing I do question and I'll bring it up in Committee when we talk about availability and stuff like that.

I think the bigger thing is the cc requirements on snowmobiles. You're limiting it to 120 between 13 and 16. That's a big one for us because the 120 – in the manufacturing snowmobile market, a 120 is a lot harder to come by now as the manufacturers have moved to 200ccs, especially with the four-stroke motors.

We have a lot of these newer 200cc ones that are purchased, that are manufactured for that age group. Right now, it's there on the market, but,

basically, we're going to make them illegal. They're sitting on showroom floors across this province; we're now going to make them illegal. They're sitting in people's garages and they're going to be illegal. By the time the child is 16 years old that snowmobile is too small for them because they physically will be too big to sit on them.

This is the thing that is really concerning is that we've just made a whole large bracket of snowmobile that is actually manufactured and made for this group will now be illegal and, on the same token, people who have purchased them and have them for their children won't be able to use them. This is a concern that I do have with it is that there.

From my understanding, and as an avid snowmobiler, there is a range between 120 and 340 that these youth snowmobiles are manufactured at. I really think we should go back and revisit the cc requirement there, especially in the snowmobile market, to encompass between 120 and 340cc.

Myself, I grew up, I had a youth snowmobile and mine was a 300cc. They are manufactured for youth in that market for that age group, but by limiting it to 120, you know, it seems like we're really boxing ourselves in when there is safe manufactured snowmobiles between this range. I think, maybe, we can go back and relook at this and see maybe, you know, are we really consulting with the snowmobile community when we did this on that one. I think that's something we really need to go back to. Like I said, growing up I had my own youth snowmobile, a 12 Elan, I drove a 12 Elan as a kid. They are there and we should maybe haul back and reconsider, especially on that one.

Side By Sides, helmets and ROPS, or rollover protection systems, I know we did our jurisdictional scan and the Minister of Tourism did mention some jurisdictional scans and stuff that got done. Maybe we can haul back and go back to the manufactures, especially the manufacturers that put in rollover protection systems in their Side By Sides and just have a chat with them about their testing, their safety procedures and their recommendations.

Because on the market there are Side By Sides that don't have rollover protection systems and there are others that do have rollover protection systems. Maybe we could have a broader conversation about what is available in the market and what is the manufacturer saying when they have ROP systems in their Side By Sides to make sure is one thing going to outweigh the other. Also, you have to look at having a helmet on when there is a ROP system in there, is it safe or not safe?

Maybe we could have a broader conversation with manufacturers. Especially, if you look at the federal government's testing services on devices and things like that to make sure where is it to and what is the recommended manufacturer thing? Because I know you look at it, too, there are other things and there is a point to be made, too.

Jeeps do have a very limited rollover protection system in their vehicles. There is a roll bar and everything there. It's there but you don't have to wear a helmet in a Jeep when the roof is off. So maybe it is something of design. Maybe there is something there that we can have a conversation about of is it warranted or is it not, and are we there yet.

So that's just something that, I think, we have to have a broader conversation about. We want to see what specs are out there because, in these markets of recreational vehicles, there are different levels and there are different specs out there according to what's on the market and what customers are asking for. It is a more diverse market in recreation vehicles than it is even in car manufacturing because it is broader industry. You want two wheels, four wheels and in some cases three wheels; it is not as defined as that – with my case, track.

When you come back to dirt bikes, street, trail, Side By Sides – well, not Side By Sides but quads, obviously, on those, there is no rollover protection and the logical thing there is to put your helmet on. That's it; there is no more conversation about that. Like I said, I am also an avid hunter. I'll admit, if I'm hunting, I don't have my helmet on at that time. But if I'm out for a trail ride, I have my helmet on. I know that there is an exemption in there for people who are

hunting, so that makes sense to me and also my family.

If you're doing one or the other, we do have the option. If you're riding the trail looking for some birds, you can take your helmet off and you can coast by and have a look and that; that is one exemption there for that. At the end of the day, if you're just trail riding on a quad or dirt bike or a snowmobile, put your helmet on. Especially in a trail setting, I always say if you're on a two-way groomed trail, you don't know what's coming at you from around that corner. Is that person following all the rules themselves? Are they speeding or on the wrong side of the trail? It makes sense; put your helmet on, on that one.

When it comes to a lot of these things, I know we do judicial scans, but I really do have some questions on responses from manufacturers and importers and stuff like that on some of these recommendations. What were the recommendations on cc size; what do they deem as youth or not; do they rule out any manufacturers or any products as not youth, even though they may have been marketed as a youth snowmobile? That's a couple things that I do want to say.

We are a very outdoor cultured people, and this is a big thing. We're changing up recreation vehicles. I'm sure if we want to break down statistics and stuff, I would say we are probably one of the most active recreation vehicle groups and we're probably purchasing some of the largest numbers of recreational vehicles in Atlantic Canada. No doubt about it, you can be here in Labrador West, you can be in Lake Melville or anywhere and you'll see dozens upon dozens of recreation vehicles.

Like the hon. Member for Mount Pearl said, some people are going to be concerned about change and things like that. It's not always easy to change, especially if people are set in their ways and things like that. As for helmets on vehicles that you sit outside of the vehicle, put your helmet on. It's the safest thing to do right now.

I do go back to enforcement as well, Speaker. When you're talking about enforcing this and stuff like that – I do have a case where I know some enforcement officers –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The level of conversation is getting a little too loud. I can't hear the speaker.

Thank you.

J. BROWN: Thank you, Speaker.

There are a couple of cases, actually. I know of an individual who used to work with me. There was an old mine survey road and he would go up and down it on his quad with no helmet on, setting snares. Enforcement did get him on a trail cam with no helmet on. His licence plate on his ATV was quite visible and he did get a visit from enforcement to ticket him for no helmet, even though they picked him up on a trail cam. Sometimes they are out there; you just don't know they're out there. They're a bit sneaky, so wear your helmet. Easiest thing to do: just put your helmet on.

At the same time, when it comes to enforcement and stuff like that, I think we should maybe consider that we probably do need some more enforcement officers.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The level of conversation is getting a bit loud. I can't hear the speaker.

J. BROWN: When it comes to enforcement, I think we do need to look at all aspects of enforcement. If we're going to expand these rules significantly, like we are, I think we do really need to actually have some enforcement and some more training and probably hire some more officers, especially up my way. We are very limited on enforcement officers up our way. They are very busy. There is a lot going on in the world of wildlife enforcement up our way.

We do have a massive snowmobile trail network; we do have a considerable other trail network – I guess non-incorporated trail network. There is a lot of activity and stuff going on, so maybe we do need to take a step back and say do we have adequate enforcement.

Are we going to make the right impacts that we want to make?

Even when this is rolled out, how are we going to advertise it to the public? How are we going to encourage the public to follow these rules? Are we going to go into schools and talk to the junior high and high school about the safety of recreation vehicles? Unless we actually take this out and educate people and encourage them to do it, we're just going to be in a world of more people not listening. So we need to educate, we need to go into schools, we need to do the stuff and educate people on why you put your helmet on, the importance of doing that and stuff like that.

Even with the rollout, education and enforcement, these things have to be a part of it because if not, it's not worth the paper it is written on; that's the thing. So we need to make sure that if we're going to do it and we're going to do this right, education has to be available, make sure that we have the educators available to teach this to the younger people. We also have to have enforcement.

I always say, especially in my community, there is an issue with youth on quads on streets like you wouldn't believe; I don't know where they got the quads, but they're everywhere. Once, one individual was ticketed for going down the street on his back wheels on his quad with no helmet on and all the quads came off the street very fast. This is where enforcement is important because it also shows that, yes, we are serious about this; please don't do it.

So that is a lot of what I feel is important is enforcement and education, but also at the same time just reconsider the cc sizes and stuff like that. Because I don't think they're correct for the snowmobile market and I think that has to be relooked at.

At the end of the day, it is always education and enforcement are key. We are not doing this because we want to be mean or pick on anybody or anything like that. It is about public safety. It is about encouraging people to be safe, have safe behaviours and to remind people that, at the end of the day, we want you to go out on quads, we want you to have a good time, but at the same time we also want you to come home to your

family safe, healthy and non-injured in case of an accident.

Like I said, that is no different than with seat belts, no different with any other things. It is important that we do all of the pieces correctly so, that way, we are just encouraging the message of health and safety and well-being. But at the same time, we all understand the importance of getting out on the land, going out for a nice ride, go hunting and go enjoy nature. Because we are very lucky as a province. We have lots of nature to enjoy – lots of it. There is tons of it out there; go enjoy it.

Thank you, Speaker.

SPEAKER: The hon. the Member for Lake Melville.

P. TRIMPER: Thank you, Speaker.

It's great to have an opportunity to speak. I don't think I'll use all my time, but I did want to throw out just some – and I want to stick to the spirit of second reading, which is really to talk about why we're doing this bill, as opposed to the specifics and the distances and the nuances. Because I can tell you, Committee is going to be interesting. We'll save that discussion for there.

But I just wanted to underline – as I need to do for the district I represent – how important this piece of legislation is. Just to give you by example – and, Speaker, I've mentioned to you a buddy of mine, Geoff Goodyear, who's moved to your fair district, there's an expression he always used to like to say whenever he was asked about where he lived, which used to be in Labrador, they used to say: Where's Labrador? He said: Oh, that's the place where we get 10 months of winter and two months of bad skidooning.

I would say climate change has probably shortened that season a little bit, but I can tell you snowmobiling, the quad world, the four-by-fours, the RZR's, these are – everybody is using them.

We had an attempt at a Guinness book of records about 18 years ago, I'm estimating. At the time, I think the record was something like 600 snowmobiles going in a continuous line at a

particular speed. I think it was maintaining 25 kilometres an hour or something like that. Anyway, we blew the number right out of the water with all the snowmobiles that just gathered on that day. We didn't make the record because some people at the front decided they were going to go a little quicker than the rest. And once you started getting into 800, 900, approaching 1,000 snowmobiles, the trail was so chewed up we just couldn't keep up with the rest of them. But my point is that there are a lot of people pursuing this.

I just spoke earlier today in preparing with Greg Wheeler, who is the president of the Grand River Snowmobile Club – one of the very well organized, and I can say, probably one of the best, although I'm just comparing it to what I know. But we have an extremely good trail system, very well-organized snowmobile club. Greg and I work closely on a whole bunch of different initiatives.

He's calculated that in the Lake Melville District there would be at least 6,000 snowmobiles alone. That's in the Upper Lake Melville area, then if we add Churchill Falls, there's probably another 300 machines there alone. That's just talking about that winter season.

I'm just thinking of what it's going to be like when I arrive home late this evening because between the sugar tax and this piece of legislation, we've got people talking. So it'll be interesting to meet up with some people.

In addition to the recreational side of this, it's really important for people to understand – and I spoke a little bit about it yesterday – just some of the differences going on between Labrador and the Island. I have a community that's really quite isolated. It's close to Happy Valley-Goose Bay, but the community of Mud Lake, a snowmobile is much more than a recreational vehicle. It's how they get to work during that winter period. It's how they collect firewood. Many other people throughout my district are doing that. You just have to go to the North and South Coast and Labrador West to see just how important these machines are, not just from a recreational perspective but to put some food on the table, to get some wood in the fireplace, just to get out and get some groceries – a big activity.

One of the things I am thinking about is it's going to be challenging for Labrador, and while I readily support the autonomy of the Nunatsiavut Government and Innu Nation to work with and/or provide some exemptions, there is so much traffic between Happy Valley-Goose Bay, that Upper Lake Melville area and the North Coast in particular, this is going to be challenging.

I'm trying to think how people will move back and forth, because during the winter months, snow and ice are the highway. Now people are visiting relatives, they're coming in for supplies; the komatiks are just loaded down with gear as they go back and forth.

This is an incredibly important season. So as you go from the different boundaries of Labrador and Inuit lands into the lands controlled by the province, there's going to be different regimes there. Again, I support the move that's in here, but it's going to be challenging for people.

You know, I'm just thinking myself and how fortunate I am. I have a snowmobile; I've got a Kubota tractor and just how lucky I am. Through the winter now, starting in a month or so, I actually will snowmobile from my house to my constituency office. I wonder how many MHAs can say they get to do that whenever you get home. It's just one of those things that we really enjoy and really embrace.

Another aspect to it that I think we'll get into it with the details in Committee, but I just marvel at the skill that is involved from the young to the oldest at handling, for example, a snowmobile. I think all of us received an email earlier today from a gentleman in the community of Churchill Falls talking about his kids and how adept they are at using these machines, and he's not exaggerating. Kids do learn to operate them – I would suggest – as safely as – really, it's a reflection of their parents and the guardians around them. It's a work of art to watch a young child who's had a lot of experience and been well instructed to go up and down a slope. You just marvel at their ability.

So we're really going to have to think about, as we push back on some of these limits, just what that's going to mean for those who are extremely capable. I'm just sort of planting the

seed of an idea that I have that might help with some of the acceptability. I guess I'm almost thinking about the ability to perhaps grandfather some of this in. I don't have that all figured out, but I just wanted to put that out there.

Also, I'm old enough now to remember when the seat-belt law came in. I can remember watching my father going down the road. This, to him, was an incredibly offensive piece of legislation. He used to drive down the road in his Ford truck with a three-on-the-tree and he would hold the seat belt to one side, but he would not attach it. He would drive literally – especially through the towns where there might be somebody watching – he would just grab that seat belt and hold it. He probably did that for a couple of years.

And now I watch him get in a vehicle and the seat belt's going in and we're reminding him. But he does remember back to those days. I was telling him just a while ago that this legislation was coming and he was kind of grinning. He's managed to overcome it.

My point is that it's going to take a while for the culture to be lightly, gently molded to reach some kind of acceptability. I feel coming in really hard on this is – we need to set the signal that this is now the law. And while enforcement is really important, it'll need to be done in such a way that we can give people time to get used to this.

We're still fighting – and let's just face it, folks – we're still dealing with tragedies around life jackets. How long has it been required that life jackets – first of all – just to be in the frigging boat, which I find to be just a compromise on true safety. Let's face it, the occupants should be wearing those life jackets all the time, but we're still struggling with that.

I guess further to my point, I see so much good in this legislation and so many lives that we're going to save. However, we're going to need to do this in a way that we won't get push back; we'll get gradual and continuous acceptability. I think that's going to be really important.

Without naming a name, I do want to bring a solemn point to this. Like so much of the legislation that's before us and, as somebody

said earlier today, we bring our life experience to this room. Some will know who I'm talking about, but there's a gentleman who worked with the provincial government. He worked in the Labrador Affairs office. Just three or four years ago, as we were about to cut the ribbon on a very important announcement, the very night before he had just been moving his snowmobile, didn't have a helmet on and died. Just rolled it over and he was probably doing – I wasn't there, but it was a very slow speed, just moving a machine, caught in some ice, flipped over and a very capable guy behind the snowmobile and just completely surprised by it.

If we can save some lives here, I think that really is what we're trying to do. We're trying to also do it in a way, like I said, that we can move society and shift to a much safer place.

I am looking forward to Committee. My plan this weekend is I'm meeting with the Grand River Snowmobile Club, at least a couple of the folks on the executive, and now that the bill is available we'll be going through some of the details. I would urge those of us, the presiding officers and the minister, that we'll need to work carefully through each of the clauses, because there's a lot of interest in each of these clauses as per this particular bill and this piece of legislation.

Thank you for the opportunity to speak, Mr. Speaker.

SPEAKER: The hon. the Minister of Municipal and Provincial Affairs.

K. HOWELL: Thank you, Speaker.

It's a privilege to speak to this here again this afternoon. I'd like to take a moment to reflect on some of my first experiences with ATVs. It was actually a snowmobile. My friends were playing hockey on a neighbour's rink and I was doing laps around said rink on a Bravo. I quickly weaponized said Bravo and turned it into a Zamboni after I picked up a coat and dragged it across the rink and sent all the hockey players sprawling and ended up down over the stairs into Mr. Roberts's basement. Needless to say, I never got invited to many hockey games after that, and it took me a long time before I was really comfortable driving a snow machine or

my father was comfortable letting me drive his snow machine.

I'm certain we could all tell tales or stories like that. That we get a little chuckle out of and how we've learned to drive or operate a machine. But, as the Minister of Fisheries, Forestry and Agriculture said, I'm certain we can all tell stories of close calls or, unfortunately, we could have recollections of tragedy.

While, thank God, over the course of my life and over the course of the many miles that I put on that little burgundy Formula Deluxe 500 that I had, I've been very fortunate not to have experienced any such accidents. But in my practice as a registered nurse, I can't say that the same is true for many of the patients that I've encountered. I am inclined to believe that after you've held a fractured skull or after you've tried to brace a child with a spinal injury, your perspective on some of these changes.

It is not as simple as we're talking about helmet regulations; we're also looking at operator training requirements, age limitations and supervisions, as well as highway use. It is not a great feeling when you bring in a 17-year-old with a promising future, who wants to be an RCMP officer and you have to put a nail in his femur; those things are some of the deterrents that I've come across.

You can talk about children operating these machines. Remember, you're driving along and you see some of these kids and they're barely big enough to hold on to the machines. They're superman riding them. Their legs are flapping behind them. When you get a case come into the ER and it is an intoxicated adult who has had an accident, it is often easy to say that's your fault; you earned that one. But when it is a child and they are on a machine that they can't handle, then it is often not their fault. I think it is imperative that we urge parents to be responsible for their children and how they operate these machines, and make sure that they have the necessary training and that they can manipulate the machines that they are riding on.

We're not just speaking about snow machines or four-wheelers; I'm thinking about Side By Sides. I remember being in a drive-through and two kids hauled up in a Side By Side behind me;

they could barely see over the dash and they're in the drive-through at Tim Hortons. We're not letting them have a car, but we let them have the Side By Side and they come on into the drive-through. I think it is important that we have further discussion about who can operate these machines, if they operate it with or without supervision.

That is a large piece of what we're talking about here today. Again, putting on my nursing hat – which I am learning is very hard to distinguish; my nurse brain never turns off. The ARNNL, which is now the College of Registered Nurses of Newfoundland and Labrador, as well as the NLMA and the Newfoundland Public Health Association released a joint statement on ATV safety in 2004. So this is not a real new conversation; it has been circling for years.

It recognizes, in this report, that ATVs are six times more likely to result in hospitalization and 12 times the fatality compared to bicycles. That is striking numbers when you think about children and how they operate these ATVs. The ATV injuries are definitely more severe, requiring surgery and hospitalizations, with 18 per cent requiring intensive care supervision.

The report also called for regulations and gave some recommendations, but it highlighted that areas where regulations to reduce injury and death were implemented actually had safer practices. This report called for legislating a minimum operator age; required training for operators; registered and licensed vehicles; compulsory helmet use; restricting the use to specific off-road areas; and mass public education.

As a registered nurse, certainly something that we take very seriously is the health promotion activities that can be implemented, especially as it applies to children and high-risk areas. My area, there is certainly a lot of ATV use for children. In rural and remote communities, this seems to be more of an issue or concern.

Unsafe riding behaviours are largely responsible for a lot of these accidents. Driving unsupervised or kids falling off the vehicle or colliding with other objects and, as the Member opposite mentioned, their poor judgment. Children just don't often understand the

implications of the activity that they're into. They lose control of their machines and they just have the capacity to take risky behaviours. So, in doing these things, we know that these children have to be more closely monitored or supervised.

I'd also like to identify that there was a study conducted actually in Newfoundland in 2018, a retrospective trauma registry review, where 298 patients were registered between the Health Sciences Centre, St. Clare's and the Janeway for trauma related to ATV use. This resulted in 2,759 admission days and a total cost of \$1.6-million health care spending.

But the striking number that comes out of this is that there were nine deaths associated with this study. Most of the patients were male and they sustained head and thorax injuries – so the major parts of their body – and 38.6 per cent of those patients were not wearing helmets. I think we can all agree on the importance of implementing measures that ensure these children are protected.

Safety is everybody's responsibility and we certainly do applaud those individuals who have chosen to ride responsibly, but we want to encourage others to do the same. Enforcement has come up as one of the key issues here and it certainly is something that comes up in my district because, on any given day of the week, the 430 is just like a racetrack. There are children roaring down the highway on these four-wheelers, four and five of them to a rig. Those concerns do come up. I've heard a lot of concerns from constituents about the Side-By-Side operations, but I think right here is the point where we have to put to the responsibility for some of these operations onto their families.

I think it's time that we stop operating and endorsing these behaviours that require enhanced enforcement and continuing to applaud behaviours that are breaking the law. So it's important that we recognize the need for responsible use and responsible supervision from parents. It is going to take some work to change attitudes that Newfoundlanders and Labradorians have, but we must continue to be vigilant in our safety measures to protect our constituents.

I've had several emails about Side-By-Side use and questions about the helmets and whatnot and, as the minister has stated, these are things that we can consider in the regulations: regulations related to hunting and trapping activities, as well as factory-sealed Side By Sides. I think that's an important designation because we don't have evidence on the rollover capacity or the safety testing of some of these things like we do cars and trucks, and people are correlating the safety of a car to the safety of a Side By Side with an encasement. That evidence is really not there. I think it's important that we look at some of the frame testing that's been done and make sure that we do have solid evidence for that before we promote it as a government and something that we want our constituents to be taking part in.

With all that said, regardless of what type of ATV you're using, what trail you're on or what corner of this beautiful province that you're in, I think we all can recognize the importance of this piece of legislation and how it impacts the wellness and safety of the people of Newfoundland and Labrador. I would, again, take this opportunity to implore parents that if you are allowing your children to operate these machines, you have to be responsible for them and you have to make sure they have the proper training.

Speaker, I do look forward to continued discussions on this in Committee.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Speaker.

It's always a privilege to speak in this hon. House and to represent the residents of the beautiful District of Cape St. Francis and I'm happy to speak to Bill 22, the *Off-Road Vehicles Act*.

As I've sat and listened to many of my hon. colleagues here today, there's a recurring theme across the board. It may not be so prevalent in districts that are more inner city. If you're in St.

John's East - Quidi Vidi or Windsor Lake, it might not be a daily event to have ATV usage in your district, but in the beautiful District of Cape St. Francis it's not just a daily event, it's an hourly event. That's why I can agree and understand what my hon. colleague from L'Anse aux Meadows is saying with respect to the 4:30 zip when kids are out of school and the issue that's there.

First of all, I'm happy to see that this legislation is finally to the floor of this hon. House for discussion and debate. I understand and I applaud the minister and the staff for the amount of work that's gone into that. I'm glad that it is here. I think, earlier today, we talked about lived experience when we were discussing in Oral Questions. Being a former mayor – and I look around this hon. House and I see many former municipal colleagues and we all had that issue to deal with when it comes to off-road vehicle use, ATV use, whichever way you want to put it and how it impacts your municipality and now it's impacting my district.

The importance of safety is paramount when you look at what is being done when people, of all ages, are using these machines. It was also mentioned earlier today about a change of culture. We do have to change the culture with respect to education, when these vehicles are being used, but that also sparked me to go into another avenue with respect to culture, and that's how important these pieces or machinery are to our culture here on a daily basis.

I'm not very old, Mr. Speaker; I'll be 48 if I'm spared till next month. I can remember taking the reins of the horse when we plowed our fields, and I'm only 48.

S. CROCKER: (Inaudible.)

J. WALL: I can prove it, hon. Government House Leader.

But today, when you look at it, these machines are used in many gardens in my district this time of year when they're plowing fields and doing the work. Of course, it was touched on by my colleague from Exploits with respect to hauling wood and doing whatever chores are needed. It is an important piece of machinery.

I have to say that I have a large number of users in my district for these machines. I want to say a large number of responsible users. I want to applaud those responsible users because it's very important when you look at the proper use of these vehicles. Now, I can attest at all hours of the day and night, that there are machines being used on the roadways in a not-so-responsible manner.

As I said before in this House, 7½ years as mayor of Pouch Cove, you work with your municipal colleagues to try to curb some of these concerns. As a group on the Northeast Avalon, we met regularly with the RNC in our area to discuss the issues that were brought forward to us on a regular basis and, of course, what we experienced daily. Many times, these officers said that our hands are tied. I've heard that here today as well, because they have stated that changes need to come from this hon. House, it needs to come from the department, it needs to come from the minister and, as a collective body here, we need to make those changes.

That's one thing, with respect to enforcement, that I'm not seeing here today. There's not a lot of change with respect to the level of enforcement or the increase or introduction of any new enforcement measures in this particular piece of legislation.

As I was sitting here and listening, I reflected upon on two town meetings that I attended. One as mayor and one as MHA, both with the RNC, both with concerned citizens in the district, with respect to ATV use. Again, it was mentioned here today with respect to the level of education that's needed. The level of responsibility that should come from the parents when these machines are being used, we don't see a lot.

I'll give you an example. The former RNC chief – who was then inspector at the time – came to my Town of Pouch Cove when I was mayor, and we had a meeting with concerned residents. I witnessed a parent argue with the inspector, at the time, that her son or daughter should have the right to be on the road under the age of 16 on an ATV. Now, if you have the audacity to argue with an inspector of the RNC who is quite versed in the law and upholding the law, there comes the challenge that each and every one of

us in the 40 districts are facing when we come to improper use of ATVs.

I was looking and was hoping for more enforcement with respect to this new bill coming in. Of course, we never know what we could come across when we have more discussion in Committee, but to go to back to the regular meetings with the Royal Newfoundland Constabulary. I applaud, at the time, my municipal colleagues for stepping up and doing that. I'm glad to see that the mayors on the Northeast Avalon are continuing that dialogue with the RNC to look for avenues that we can have this behaviour curbed. But it was very frustrating when we go to the RNC with this issue and they don't have the solution either. That's where part of the problem lies when it comes to the amount of officers that we have. Do we need an increase in officers? I'm sure that the Minister of Justice and Public Safety has that question asked to him on a regular basis, and I'm sure that we all hear about here as Members for each of our districts.

So it's important for us to go back to the municipal level to engage the municipalities. I know that many towns have stepped up across our province with respect to bringing in legislation or working with the responsible users and riders in their areas. It is important to remember the municipalities, to remember the elected officials there to work with them. But it's also important to have responsible drivers.

One of my colleagues said about using a supported trail system. Well, unfortunately, in Cape St. Francis we don't have a dedicated trail system to ATV or off-road users. That has been discussed many times over my 7½ years as mayor; the idea has been brought back to me now as MHA with respect to responsible users looking for trail systems. But it was mentioned earlier – I think my colleague from Ferryland said about the train-track system. We don't have that in Cape St. Francis. You have to come into St. John's to get down to the trains station to start your voyage there.

I've had discussions with many landowners in my district with respect to trying to come forward with a dedicated trail system. Unfortunately, when you're looking at private land, Crown land, those different barriers, it

makes it a little bit more difficult. For me, in my district, I don't have a dedicated trail system but it's something that I know the users and the riders would like to see, of course. It's very easy to travel on the side of the road to get from one trail to another. We know that it is problematic when it comes to being used on a daily basis.

There are lots of issues that we have to deal with. Again, I go back to the level of enforcement that I was hoping to see in the bill. I know that many of the police officers were hoping to see a different level or introduction of a new enforcement that we could have here. It's something that we need to keep in mind if we're all going to be responsible to the residents that we serve; we have to keep that in mind. Of course, there are many players at the table that we can engage with to do so.

Speaker, I always appreciate the time to add my two cents. Again, it's from lived experience, as one of the ministers said earlier this morning. It's always good to bring it back to the ground level, to realize what we have to do and, of course, to engage the stakeholders that we must engage with to, hopefully, come up with some solutions.

I appreciate the work that the minister and her staff have done with respect to Bill 22 and bringing it to this House. I look forward to the added discussion and debate. I thank you for the opportunity, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move we adjourn debate on Bill 22.

Sorry, Mr. Speaker, there have been a lot of bills this week.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move, seconded by the Deputy Government House Leader, that this House do now adjourn.

SPEAKER: It is moved and seconded that this House do now adjourn.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

This House stands adjourned until 1:30 p.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Monday, at 1:30 p.m.