

Traffic Safety Amendment Act, 2016

FAQs

1. Why are these amendments needed?

- The TSA, like other legislation, needs to be updated periodically to address changing needs and circumstances.
- For example, the Government of Alberta is committed to finding a common sense solution allowing ride-for-hire companies, also known as transportation network companies (TNCs) to operate in a fair manner, while also protecting drivers, passengers and other road users.
- Most sections of the *Traffic Safety Act* (TSA) came into force in 2003.

2. How many legislative amendments are there?

There are four main legislative amendments we need to make to the *Traffic Safety Act*:

- Proof of Insurance, AKA Pink Cards,
- Ignition Interlock Program,
- General Housekeeping, and
- Amendments to define and legislate Transportation Network Companies like Uber.

3. What are the changes to Proof of Insurance, AKA Pink Cards?

Currently, legislation is vague about drivers producing out of date pink cards, which some police officers then ticket them for, even though they may have a current pink card as well.

This amendment would prevent drivers from receiving a ticket if they can produce a valid pink card.

4. What are the changes to Ignition Interlock Program?

First time offenders whose blood alcohol concentration is less than .160 currently can apply for an exemption to the Ignition Interlock Program.

This amendment will strengthen impaired driving legislation by removing that application for first time offenders.

5. What are the 'general housekeeping changes?

The six general housekeeping amendments aim to clarify intent, to correct errors in drafting instruction, to remove obsolete provisions, and to achieve legislative consistency.

These include preventing offenders from avoiding increased suspensions by appearing in court on the same day for multiple impaired/drug driving charges.

They also include amendment to bring the *Traffic Safety Act* up to date with the Criminal Code of Canada on street racing causing bodily harm, and change the spelling of motorcycle to match federal legislation.

6. What amendments are being put in place to regulate Transportation Network Companies (TNCs)?

The last amendment will allow the government to regulate transportation network companies such as Uber as outlined by the government on February 29, 2016.

This amendment will allow the government to mandate Class 1, 2, or 4 licences for TNC drivers, more robust insurance and police information checks.

7. How can potential drivers for Transportation Network Companies meet the licensing requirements under the new amendments?

Drivers with a class 5 license wishing to drive for TNCs can upgrade their licences to a Class 1, 2 or 4 by taking a road test at any registry in the province.

8. How will police information checks for TNC drivers be mandated?

The responsibility for mandating police information checks for drivers of TNCs belongs with the company, not the driver. The TNC should collect, retain and validate the police information check, subject to review by government staff. This is similar to the requirements a trucking company must meet for its drivers.

9. How can TNCs meet the insurance requirements of the new amendments?

Currently, TNC drivers have the option of obtaining commercial insurance, similar to the coverage purchased by taxis. A TNC-specific insurance option is expected to be ready by July 1, with approval from the Government's Superintendent of Insurance.

10. What enforcement measures will be in place to ensure TNCs operate under the rules laid out by the new amendments?

A TNC must not allow any of its drivers to operate under the company unless the driver has the appropriate insurance coverage, driver's license, and police information check. The TNC must make these records available to peace officers and/or Government of Alberta staff for review upon demand. A provision will enable the Registrar of Motor Vehicle Services to levy administrative penalties of up to \$50,000 against a TNC.

11. Will TNCs be able to appeal penalties they incur?

A provision under the Act will allow TNCs that are affected by an administrative penalty to appeal to the Alberta Transportation Safety Board.