



Infrastructure and Transportation

Legislative and Regulatory Services
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Dear Sir/Madam:

On December 1, 2015, *The Highway Traffic Amendment Act (Enhancing Passenger Safety)* and its supporting regulation, the *Standards for Mobility Aid Securement and Occupant Restraint Systems and Related Exemptions Regulation* came into force. In the winter of 2014/15, Manitoba Infrastructure and Transportation consulted stakeholders on this initiative and I am providing the enclosed information as your organizations participated in those consultations.

As you may recall, the amendments will enhance the safety of persons with disabilities by implementing securement requirements for passengers using wheelchairs that are comparable to the seating and seat belt use requirements imposed on passengers travelling in conventional vehicle seats.

The most recent amendments prohibit drivers from driving unless:

- every wheelchair occupied by a person in a motor vehicle is properly secured, and
- every person occupying a wheelchair in a motor vehicle is properly restrained by an occupant restraint system.

The regulation is required to exempt certain classes of persons and vehicles from the new legislative requirements and prescribe equipment standards for mobility aid securement and occupant restraint (MASOR) systems.

In addition to the consultation noted above, there was extensive discussion on medical exemptions. For your information, the status of medical exemptions has remained unchanged. The *Seat Belt Exemptions and Other Seating Related Exemptions Regulation* and the *Child Restraining Devices Regulation* will continue to provide lifetime medical exemptions from seat belt and child restraining device use for persons that have a certificate signed by a medical practitioner. Exempt individuals/guardians must be able to produce the certificate to a peace officer upon request.

Medical evidence and traffic injury statistics demonstrate that there is a significant increased likelihood of injury and death for unbelted occupants and extensive stakeholder consultations with transportation providers, regulatory authorities, Manitoba Public Insurance (MPI) and health associations/professionals confirm wide-ranging support for the removal of lifetime medical exemptions. However, consultations with disability advocacy organizations confirmed that the disability community strongly supports the maintenance of medical exemptions. There was concern for a very small percentage of persons with disabilities, i.e. persons requiring the use of ventilators, colostomy bags, etc., that wearing a seat belt/occupant restraint could potentially pose a risk to their health.

Manitoba Public Insurance will continue to work in collaboration with the College of Physicians and Surgeons of Manitoba and other health care providers to inform doctors that provide medical exemptions of the significant safety risks and professional liability consequences.

The legislation and regulations can be viewed on the Government of Manitoba's website at <http://web2.gov.mb.ca/laws/regs/index.php>

I would like to take this opportunity to sincerely thank you and your organization for contributing your input and expertise to the consultation. Please do not hesitate to contact me if you require further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AL', with a small mark above the 'i'.

Amanda Lieverse
Director
Legislative and Regulatory Services