



A white tanker truck with a large silver tank is parked in a snowy field. The truck is connected to a metal structure on the left by a red hose. In the background, there are utility poles and a small building.

August 2016

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Acknowledgement

The Department of Economic Development and Transportation would like to acknowledge all those who participated in the consultation process and expressed their concerns and provided comments on improving traffic safety in Nunavut.

The input was appreciated and helped the department better understand community and stakeholder perspectives on this important matter for Nunavummiut.

In addition to the public, the department heard from several groups including Inuit organizations, territorial entities, transportation associations, enforcement agencies and levels of government including hamlets and others.

Such participation is a critical element of the legislative process within Nunavut.

Thank you for your participation.

Qujannamiik

Message from the Minister of Economic Development and Transportation



Road safety within the territory is an important and evolving public safety issue that impacts all Nunavummiut. We all have a vested interest in keeping Nunavut's roads and communities safe. Whether driving a car, ATV, heavy construction equipment, motorcycle or riding in a taxi, cycling or even walking, we all use our roads and are therefore affected by traffic safety.

The Government of Nunavut (GN) is proposing changes to the *Nunavut Motor Vehicles Act* (MVA) to better align the territory's legislation with updated motor vehicle standards across the country and to introduce measures to enhance traffic safety.

This focus on traffic safety is consistent with objectives under the government's mandate, *Sivumut Abluqta*, to support Nunavummiut to live "healthy and productive lives". The new legislation, once approved, will provide a stronger legal framework to support Nunavut's transportation infrastructure, recognized in *Sivumut Abluqta* as critical to the territory's economic development.

Many incidents on Nunavut roads are preventable but, unfortunately, speed, distraction and impairment are still significant concerns. Therefore we are focused on bringing forward improved legislation to address these issues and to achieve a better alignment with national standards.

My department is committed to working closely with communities and stakeholders through this legislative process with an aim to enhance traffic safety overall. Together, we can achieve a safer environment for Nunavummiut to live, work and enjoy with their families.

The Honourable Monica Ell-Kanayuk
Minister of Economic Development and Transportation

Nunavut Motor Vehicles Act

Background

The Government of Nunavut (GN) is proposing changes to the Nunavut *Motor Vehicles Act* (MVA) to align the territory's legislation with updated motor vehicle standards across the country and to introduce measures to enhance traffic safety.

The Act regulates and licenses drivers and motor vehicles. It also provides rules for issuing general identification to Nunavut residents. Traffic safety is the main objective of the proposed legislative changes.

The Department of Economic Development and Transportation (EDT) administers the Act and is leading this legislative review of the Act with a stated aim to:

- Address specific Nunavut road safety concerns,
- Reflect changes in public attitudes towards various driver behaviours,
- Ensure the legislation is consistent with new motor vehicle standards,
- Meet the intent of national transportation agreements that Nunavut has signed.

The existing Act was adopted from the Northwest Territories upon the inception of the new Territory of Nunavut in 1999 and remains substantially unchanged.



Context

The state of motor vehicle and driver regulation across the country has developed significantly over the 17 years since Nunavut's *Motor Vehicles Act* was adopted. Further, new information on the dangers posed by impaired and distracted driving highlight the need to address these concerns through enhanced legislation and enforcement.

In order to reconcile the outdated legislation with current motor vehicle standards, the GN is bringing forward new legislation to update the *Motor Vehicles Act*. Given its aim to improve the safety of drivers, passengers and pedestrians, it has been proposed that the Act be renamed to the *Traffic Safety Act*.

The traffic safety theme of this initiative is also consistent with the objectives under the government's mandate, *Sivumut Abluqta*, by supporting Nunavummiut to live "healthy and productive lives". The legislation, once updated, will also provide a stronger legal framework to support Nunavut's transportation infrastructure, recognized in *Sivumut Abluqta* as critical to the territory's economic development.



Consultation Process

Amending the MVA has been a priority of the GN over several years and was initially identified in the mandate document, *Pinasuaqtavut 2004-2009*, during the second Legislative Assembly. The Canadian Driver Licence Agreement (2005) also obligates the GN to make improvements in the issuance of driver licences in Nunavut including legislative changes.

In early 2007, EDT conducted consultations on issues concerning the MVA with municipal governments, industry organizations, territorial departments and agencies and other Canadian jurisdictions. These consultations informed the policy work performed at that time.

Early the following year, the department received direction on a number of policy issues including residency, impaired driving, graduated licences and the management of end-of-life vehicles. A draft Bill was prepared. Public consultations were expected to proceed in 2008 but were put aside as a result of the territorial election and a new government mandate.

In 2016, a new round of consultations with stakeholder groups took place. Among others, this included:

- Nunavut Tunngavik Incorporated
- Nunavut Association of Municipalities
- Nunavut Association of Municipal Administrators
- Privacy Commissioner of Nunavut

- Nunavummi Disabilities Makinnasuaqtiit Society
- Mothers Against Drunk Driving
- Canadian Council of Motor Transport Administrators
- Royal Canadian Mounted Police

In view of the many GN consultations occurring through 2015-2016 and the prior work completed, it was proposed that the public engagement for the MVA legislative review take place by way of a survey instead of public meetings. The consultation process was promoted through public service announcements, a GN poster, government liaison officers and theatre ads.

This approach was formally approved and progressed through the early part of this year. The consultation included:

- An on-line public survey made available in Inuktitut, English, Inuinnaqtun and French (see Appendix C),
- Hard copy versions of the survey in motor vehicle offices and government liaison offices in each community,
- A modified copy of the survey distributed to municipal government officials across the territory to gain additional perspectives. EDT was satisfied with community participation and believes that a good cross-section of civic involvement was achieved in reaching both larger population centers such as Iqaluit and Rankin Inlet and hearing directly from an additional 11 communities, representing

input from over 50% of the communities. These communities included Grise Fiord, Hall Beach, Igloolik, Kimmirut, Baker Lake, Chesterfield Inlet, Nauyasat, Whale Cove, Gjoa Haven, Kugaaruk and Taloyoak (See Appendix B),

- One-on-one meetings and communications with organizations and stakeholder groups representing a wide array of interests across the territory.

In total, over 650 people completed either the on-line or hard copy survey. Further, it is estimated that an additional 700 people were consulted through the one-on-one meetings or through the community consultation process.

To show appreciation for their participation, individuals who responded to the on-line survey had his/her name entered in a draw for the chance to win an iPad. The winner was James Edwards from Iqaluit.



Inuit Qaujimajatuqangit (IQ)

The territorial government recognizes and adheres to traditional Inuit societal values representing *Inuit Qaujimajatuqangit* (IQ) - meaning “what Inuit have always known” – sometimes referred to as traditional knowledge.

Inuit Qaujimajatuqangit is a GN commitment that ensures Inuit societal values are considered in all aspects of the GN’s legislation. Throughout the consultation and legislative renewal process, EDT acknowledges and respects the importance of IQ as a component of any proposed change to the *Nunavut Motor Vehicles Act*.

Throughout the on-line consultation process, Inuit societal values were considered as a foundation to any proposed legislative change.



Consultation Findings

Like other laws within Nunavut, the Nunavut *Motor Vehicles Act* (MVA) is not stand alone legislation. It supports and is supported by other legislation within Nunavut and, where applicable, Canada and international jurisdictions as well.

The findings from the consultations showed strong support for the GN's initiative to improve traffic safety of Nunavut's roads. The process provided valuable public and community feedback on a number of driver and road safety concerns. Many participants noted that changes to the MVA may be effective to improve road safety concerns, yet they may also be difficult to enact and enforce.

current community bylaws are already reported by participants as difficult to make happen and/or lack effectiveness. It was generally agreed by those hamlet representatives who participated that new amendments to the MVA will be of little benefit without increased enforcement.

Response to seat belt use in vehicles is a good example from the survey's results. While evidence indicates that seat belt use is successful in preventing injuries (and is required in Nunavut), opinions were split on the need to 'buckle up'. Participants therefore saw little need to focus on this area in the legislative review and indicated that only enforcement would change behavior.



While the traffic safety theme of this initiative is consistent with the objectives under the government's mandate, *Sivumut Abluqta*, by supporting Nunavummiut to live "healthy and productive lives", some may oppose changes that could impose too many restrictions. Furthermore, enforcement of the existing MVA or

Priorities for the new Motor Vehicles Act

Analysis of the consultation data indicated four (4) priority topics (see Appendix A for complete list).

1 Impaired driving:

Consultation participants support stronger laws concerning impaired driving of a motor vehicle. This could include longer or automatic suspensions, mandatory medical assessments, and vehicle impoundment for driving while suspended.

There was overwhelming support by survey participants to see changes to the *Motor Vehicles Act* that would create tougher measures to address impaired driving caused by alcohol and/or drugs.

2 Distracted driving:

Consultation participants support penalties to reduce distracted driving.

Distractions such as texting and phone calls while driving is a growing road safety concern in several communities. The larger communities indicated that with smart phones now fully operational, the amount of distracted driving complaints has risen and so has the unsafe behavior.

3 Public safety:

Consultation participants want the new MVA to support community priorities concerning public safety.

4 Speeding vehicles within the community:

Consultation participants support changes to reduce vehicles speeding around their community.

Overwhelmingly, the majority of communities felt public safety needed to improve on Nunavut roads. Concerns were not just speeding motor vehicles or careless operators of ATVs or snowmobiles but protecting the safety of vulnerable road users such as pedestrians (including school children) and cyclists. Participants also admitted that it is difficult to get pedestrians (including children) to change their behavior consistently and Nunavut's harsh weather conditions further contribute to the public safety hazard especially when pedestrians are wearing full winter gear where vision and hearing may be diminished.

Next Steps

Once the new Bill is drafted (along with the proposed name change to the *Traffic Safety Act*), there will be additional review processes within the GN before the legislation is finalized. EDT will need to seek input on the timing and implementation of various provisions. The department will also need to develop and integrate regulations with the policy and procedures of the legislation to be consistent with the objectives under the government's mandate, *Sivumut Abluqta*.

The following outlines the steps the department will need to address for the finalization of the Bill:

1 Internal Review:

EDT must complete additional internal review processes prior to the legislation's introduction;

2 Legislative Assembly introduction:

EDT must review both administrative capacity and communication strategies to complement the implementation of the draft legislation introduced to the Legislative Assembly by the Minister;

3 First Reading:

EDT must provide the Minister with a detailed Briefing Note to support the proposed revisions to the current Act as set out in the draft Bill;

4 Second Reading:

EDT must provide the Minister additional background material as may be required. (In view of the public interest and importance of this new legislation to address road safety concerns, it is anticipated that a detailed discussion of the proposed changes will take place at this stage.);

5 Standing Committee:

EDT must be well prepared to support the Minister in a clause-by-clause analysis of the new legislation. Standing Committee may opt to hold public hearings or invite organizations and members of the public to present their views (in addition to the consultations conducted by EDT);

6 Committee of the Whole:

Elected Members of the Legislative Assembly have the ability to discuss the Bill informally with the Minister. EDT must be prepared to support the Minister and/or provide any additional information as needed;

7 Third Reading and Assent:

Once the legislation has been approved, EDT under the direction of the Minister must be prepared to implement communication and education strategies in support of the new legislation.

In summary, it is *essential* the department is prepared to provide the appropriate support at all stages of the legislative process including the implementation of the new Bill once enacted.

Whether a driver, a passenger or a pedestrian, we are all affected by the safety of our roads. Updating Nunavut's MVA legislation is critical to ensure safer communities for Nunavummiut.



Appendix A

Summary of Public Consultation Findings

Nunavummiut Response to On-line Public Survey - Priority of Importance

Topics – Priority of Importance	VII/I ¹	Summary of Participants' Opinions
MVA Legislation		
Impaired driving	90%	Support stronger laws operating a motor vehicle while impaired. This could include longer or automatic suspensions, mandatory medical assessments, and vehicle impoundment for driving while suspended.
Distracted driving	87%	Support penalties to reduce distracted driving.
Public safety	85% ²	Support community priorities for public safety.
Speeding within the community	85%	Expressed concern about vehicles speeding around their community.
Vehicle disposal	84%	Support a program to dispose of vehicles that have reached their end of life.
Riding without required helmet	81%	Support mandatory helmet use while driving or riding on all-terrain vehicles.
School crossing guard	80%	Support school crossing guards.
Excessive speed within the community	79% ³	Support community safety zones with lower speed limits and double or triple fines.
Graduated licensing program	79%	Support a graduated driver licence program for young or new drivers.
Official testing station	64%	Support regulation and licensing of inspection stations, their mechanics and/or technicians.

1 - VII/I – Combined percentage of participants that felt this MVA topic was either “very important” or “important”.

2 - Priorities 3 and 4 each have a priority importance rating of 85%.

3 - Priorities 8 and 9 each have a priority importance rating of 79%.

Appendix A

Summary of Public Consultation Findings

Nunavummiut Response to On-line Public Survey - Priority of Importance

Topics – Priority of Importance	VII ¹	Summary of Participants' Opinions
Vehicle inspection regulations	61%	Support motor vehicles passing a mechanical inspection before registering a vehicle in Nunavut and periodically thereafter.
All-Terrain and Special All-Terrain Vehicles	58%	Support giving a community exclusive control over all-terrain vehicle and snowmobile bylaw-making authority.
Emission testing	54%	Support requiring vehicles in Nunavut to pass an emission test.

Appendix B

Summary of Community Consultation Findings

Appendix B is a summary of the survey distributed to all municipal offices across the territory. Communities that provided responses included Iqaluit, Rankin Inlet, Grise Fiord, Hall Beach, Igloolik, Kimmirut, Baker Lake, Chesterfield Inlet, Nauyasat, Whale Cove, Gjoa Haven, Kugaaruk and Taloyoak.

Topics	Community Responses
MVA Legislation	
Graduated licensing program	Majority supported making changes to the MVA to better align the territory with the national standards and increase the responsible use of vehicles by new drivers.
Impaired driving	Majority supported changes to the MVA that would create tougher measures to address impaired driving caused by alcohol and/or drugs. (Any change must be well published with education material readily available.)
Distracted driving	<p>Distractions such as texting and phone calls while driving were considered a road safety concern in communities where use of communication devices such as smart phones has become more common in recent years.</p> <p>Participants acknowledge it has been proven hazardous in other jurisdictions and by insurance studies. The larger communities indicated that with smart phones now fully operational, the amount of distracted driving complaints has risen and so has the unsafe behavior.</p>
Operate vehicle without seatbelt	Despite the present requirement under the MVA, use of seatbelts was divided and the majority of communities saw no need for changing related legislation without more education or enforcement.

Appendix B

Summary of Community Consultation Findings

Topics	Community Responses
Speeding	<p>Concerns included speeding vehicles in their community due to:</p> <ul style="list-style-type: none"> • no sidewalks, • children and the community members walking on the roads, • speeding snowmobiles and all-terrain vehicles, • school zones, • lack of signage or no observation of signage, • impatient drivers • youth with a lack of education/experience on what can happen while operating all-terrain and snowmobiles at excessive speed, • lack of enforcement.
Public safety	<p>Agree to addressing vulnerable road users in their community due to:</p> <ul style="list-style-type: none"> • no sidewalks, • pedestrians (such as children) may have little road sense, • people may cross roads without looking both ways, • inexperienced drivers may come into contact with pedestrians, particularly those wearing full winter gear causing restrictions to vision and hearing. <p>Biggest road safety concern:</p> <ul style="list-style-type: none"> • speeding, • roads not wide enough, • unsafe drivers not obeying the laws, • driving under the influence, • distracted driving (texting/talking on cell phones), • poor driving conditions during blizzards, fog, heavy snow, • poor signage, • road dust control, • unqualified road operators, • blind spots.
Excessive speed	<p>Communities noted:</p> <ul style="list-style-type: none"> • some already have bylaws in place for safety and lower speed zones but bylaw enforcement can prove difficult, • could improve safety in the community particularly in school zone areas, • comprehensive policy for Nunavut may be more enforceable.

Appendix B

Summary of Community Consultation Findings

Topics	Community Responses
School crossing guards	Majority of hamlets were not in support although larger communities were. May require additional government funding to implement.
All-Terrain and Special All-Terrain Vehicles	Community bylaw provision. A few hamlets noted they do already have control over ATVs and snowmobiles but enforcement is difficult through bylaw officers. The majority of communities indicated that territory-wide all-terrain vehicle and snowmobile rules should be enforced by RCMP.
Riding safety	The majority of communities supported helmets however enforcement is an issue in some hamlets.
Vehicle disposal	The majority of communities were in support of this for environmental reasons but there was concern about the territory's ability to support such a program.
Vehicle inspection regulations	Larger communities and a number of hamlets were in favour mainly for safety concerns (unsafe and poorly maintained vehicles on the roads) however a few participants noted that this would likely not be feasible in Nunavut.
Official testing station	Larger communities and a number of hamlets were mainly in favour for safety concerns (unsafe and poorly maintained vehicles on the roads) however a few participants noted their concern about the feasibility of such a program.
Emission testing	Majority of communities were not in support.

Appendix C

Outline of On-line Public Survey

MVA Topic and Numerical Order of Questions

Topics	Public Survey Questions
MVA Legislation	
Impaired driving	1. How important is it to make changes to the Motor Vehicles Act that create stronger laws on driving while impaired by drugs and alcohol, including longer or automatic suspension periods, mandatory medical assessments, and vehicle impoundment for driving while suspended?
Public safety	2. How important is it that the Motor Vehicles Act supports community priorities for public safety through bylaw making powers?
Inuit societal values	3/4. How important is it that the Motor Vehicles Act respects and supports <i>Inuit Qaujimajatuqangit</i> (IQ)? Examples.
Operating a vehicle	5. How important is the use of seatbelts?
Speeding	6. How concerned are you about speeding vehicles in your community?
Excessive speed	7. How important are community safety zones with lower speed limits and double or triple fines?
School crossing guards	8. How important are school crossing guards in your community?
Graduated licensing program	9. How important is it for Nunavut to introduce a graduated driver licence program for young or new drivers, including longer probationary periods, passenger restrictions, lower demerit point levels, and zero alcohol use?
Distracted driving	10. How important is it to have penalties to reduce distracted driving caused by secondary activities such as eating, texting, and talking on an electronic communication device?
Vehicle disposal	11. How important is it to have a program in Nunavut to properly dispose of vehicles that have reached their end of life?

Appendix C

Outline of On-line Public Survey

MVA Topic and Numerical Order of Questions

Topics	Public Survey Questions
All-Terrain and Special All-Terrain Vehicles	12. How important is it that your community has exclusive control over all-terrain vehicle and snowmobile bylaw-making authority?
Riding safety	13. How important is the mandatory helmet use while driving or riding as a passenger on an all-terrain vehicle (ATV)?
Vehicle inspection regulations	14. How important is it for Nunavut to require that all motor vehicles pass a mechanical inspection before being registered in Nunavut, and periodically thereafter?
Official testing stations	15. How important is it for Nunavut to regulate and license inspection stations and their mechanics/technicians for the purposes of periodic mechanical inspections on motor vehicles?
Emission testing	16. How important is it for Nunavut to require that all motor vehicles pass an emissions test before being registered in Nunavut, and periodically thereafter?