

MANITOBA PUBLIC UTILITIES BOARD

Re: MANITOBA PUBLIC INSURANCE CORPORATION (MPI)

2018/2019 GENERAL RATE APPLICATION

HEARING

Before Board Panel:

Robert Gabor, Q.C. - Board Chairperson

Michael Watson - Board Member

Carol Hainsworth - Board Member

Allan Morin - Board Member

Robert Vandewater - Board Member

HELD AT:

Public Utilities Board

400, 330 Portage Avenue

Winnipeg, Manitoba

October 5, 2017

Pages 628 to 879



“When You Talk - We Listen!”



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3 --- Upon commencing at 9:04 a.m.

4

5 THE CHAIRPERSON: Good morning,
6 everyone. Mr. Keith, nice to see you.

7

8 MS. KATHLEEN MCCANDLESS: Today, we
9 are proceeding with the evidence of Mr. Keith on road
10 safety.

11

12 THE CHAIRPERSON: Yes. Thank you.

13

14 MR. STEVE SCARFONE: I believe we'll
15 have to have Mr. Keith sworn in first.

16

17 MPI PANEL 2:

18

19 WARD KEITH, Sworn

20

21 EXAMINATION-IN-CHIEF BY MR. STEVE SCARFONE:

22

23 MR. STEVE SCARFONE: Thank you. Good
24 morning, Mr. Keith. Sir, can you tell me what your
25 role is at MPIC, your title?

26

27 MR. WARD KEITH: Yeah, my current role
28 is vice-president of Business Development and
29 Communications and Chief Administrative Officer.

30

31 MR. STEVE SCARFONE: Thank you, and
32 how long have you been in that role?

33

1 MR. WARD KEITH: I've had this role
2 for approximately 2 1/2 years and have been with the
3 Corporation -- I'm in my 33rd year with the
4 Corporation.

5 MR. STEVE SCARFONE: Okay. Thank you.
6 And what are your responsibilities, sir, as vice-
7 president and Chief Administrative Officer?

8 MR. WARD KEITH: In this role, I have
9 oversight of our four (4) lines of business, including
10 development of our products, road safety and loss
11 prevention, which I'm here to speak on today.

12 I also have oversight of our customer
13 research departments, customer relations, external
14 communications, media relations and corporate
15 services.

16 MR. STEVE SCARFONE: Very good.
17 Thank you. And you've indicated you've been with the
18 company for 33 years; does that constitute your
19 entire career?

20 MR. WARD KEITH: Pretty much. I
21 started with MPI when I was 21 so

22 MR. STEVE SCARFONE: And what other
23 positions, sir, have you held at MPIC.

24 MR. WARD KEITH: I've held a number of
25 positions over this period. Started in an entry-level

1 clerical position with the organization; worked as a
2 physical damage claims adjuster; was a bodily injury
3 claims adjuster prior to moving to the no-fault
4 environment under the personal injury protection plan.
5 I've been a broker services coordinator; managed the
6 broker services department. The director of customer
7 service. Was the director of driver and vehicle
8 licensing when MPI assumed responsibility for the
9 driver and vehicle licensing functions from
10 government. Registrar of motor vehicles and the
11 executive director of driver safety and regulatory
12 control.

13 MR. STEVE SCARFONE: Very good.
14 Thank you. And just briefly, sir, could you describe
15 for the Board this morning what your educational
16 background is?

17 MR. WARD KEITH: Certainly. I have a
18 Masters of Business Administration specializing
19 executive leadership through Royal Roads University in
20 Victoria. I have a certificate in Adult and
21 continuing education through the University of
22 Manitoba. I'm a fellow of the Insurance Institute of
23 Canada and -- and I'm a graduate of the Canadian
24 Institute of Management.

25 MR. STEVE SCARFONE: Thank you and,

1 again, briefly, any professional designations and
2 memberships that you hold that are relevant to this
3 proceeding?

4 MR. WARD KEITH: I am a member of the
5 Canadian Institute of Management. I'm a member of the
6 Insurance Institute of Canada; have played a number of
7 roles within that organization over the years. And
8 I'm also a representative for Manitoba to the American
9 Association of Motor Vehicle Administrators and to the
10 Canadian Council of Motor Transport Administrators.
11 Those are the -- the most relevant memberships and
12 affiliations related to today's testimony.

13 MR. STEVE SCARFONE: Thank you. And
14 as it concerns the 2018 General Rate Application, Mr.
15 Keith, what was your involvement with respect to its
16 preparation, the application proper?

17 MR. WARD KEITH: I had oversight of
18 the section of the application dealing with loss
19 prevention and road safety and was aware of the -- of
20 the material that was filed.

21 MR. STEVE SCARFONE: Okay. And were
22 you also involved in the preparation of the
23 Information Requests; the responses that MPIC has
24 filed?

25 MR. WARD KEITH: Yes, I reviewed those

1 Information Requests when they came in, as well as the
2 responses before they were provided.

3 MR. STEVE SCARFONE: Thank you. And
4 I'm assuming then, sir, that with respect to those
5 areas that you were involved with, you adopt as your
6 evidence all of that which is contained in the General
7 Rate Application?

8 MR. WARD KEITH: That's right.

9 MR. STEVE SCARFONE: And I also
10 understand, sir, that you have here today a deck or a
11 PowerPoint presentation that you'd like to go through
12 for the Board.

13 Do you adopt that particular evidence
14 in this proceeding?

15 MR. WARD KEITH: Yes, I do.

16 MR. STEVE SCARFONE: And lastly, sir,
17 there was a recently filed provincial road safety
18 plan. Will you be able to speak to those issues, if
19 necessary, in today's proceeding?

20 MR. WARD KEITH: I will in my capacity
21 as co-chair of the -- of the -- of the committee
22 responsible for that work, yes.

23 MR. STEVE SCARFONE: Okay. Well,
24 thank you, Mr. Keith, then if you're ready to proceed,
25 go ahead with your -- with your presentation.

1 PRESENTATION BY MR. WARD KEITH:

2 MR. WARD KEITH: Okay, well, thank you
3 very much for having me again today. It's a pleasure
4 to be back, and to speak to you about MPI's progress
5 with respect to loss prevention and road safety and
6 respond to any questions that the Board and the
7 intervenors may have.

8 As -- as indicated my responsibility at
9 MPI include oversight of loss prevention and road
10 safety programming. This includes oversight of
11 development of our loss prevention framework, our
12 operational plan for road safety and the research
13 priority setting program development and program
14 evaluation frameworks for road safety that have all
15 been filed with this Board and which now guide our
16 efforts related to these important corporate
17 functions.

18 Over the last three (3) years we've
19 made significant progress in developing these loss
20 prevention and road safety frameworks, and these
21 frameworks are evidence-based, data driven and
22 grounded in best practice.

23 Following these frameworks, these
24 methodologies, which have been independently
25 evaluated, provide us and I hope provide the Public

1 Utilities Board with comfort that the money we invest
2 in our road safety and loss prevention efforts is
3 well-placed and on an overall portfolio level is
4 producing a positive return on investment for our
5 ratepayers.

6 Indeed, in public polling 90 percent of
7 Manitobans tell us that we should be involved in road
8 safety and that we are effective in doing so.

9 Briefly today I'd like to just cover
10 the following agenda: Update on information with
11 respect to our loss prevention efforts, including
12 implementation of our strategy and framework and the
13 data dashboards that have been created, a sampling of
14 which have been shared as part of our application.

15 I'd also like to speak about the
16 important aspect of stakeholder engagement, and our
17 principles with respect to working collaboratively
18 with our stakeholders for the benefit of our programs
19 and to help inform and better our programs.

20 Also to talk about our loc -- our road
21 safety priorities and some key initiatives that we're
22 pursuing this year and into the next rating year. This
23 is not a comprehensive review of our inventory of work
24 in this area, but some key programs that I think are
25 important to address for the Board.

1 And as well, I would like to talk about
2 road safety in the broader context. In this hearing
3 and in our applications, we've talked about the
4 complexity of road safety; we've talked about the role
5 that MPI plays within that construct and -- and I
6 would like to talk about how that is evolving and how
7 we are working with other stakeholders within the
8 broader provincial context, and to that end can speak
9 to the work of the provincial road safety committee
10 and the deliverable that was just released by
11 government.

12 Finally, a very quick summary of our
13 responses to the PUB Orders which are addressed in the
14 application.

15 As referenced in our application loss
16 prevention programs at MPI are both extensive and
17 diverse. However, they all have a common objective
18 and, that is, to reduce the probability of loss
19 occurrences or loss severity. Efforts include
20 programs to educate and test would-be drivers to
21 ensure that they have the skills and the abilities to
22 safely operate motor vehicles. Other programs ensure
23 drivers meet and maintain medical and behavioural
24 standards required to drive safely and hold a license
25 in this province. And in addition, our education and

1 awareness initiatives which work to educate Manitobans
2 about the dangers and consequences of illegal or
3 otherwise high risk driving behaviour.

4 Some of these programs are
5 discretionary and are deployed with a potential return
6 on investment, or where it is assured or likely, while
7 other programs are mandatory programs that we
8 administer as administrator of the Drivers and
9 Vehicles Act, but they do all play an important role
10 in terms of -- of our efforts to reduce risk and
11 prevent loss.

12 I have had the honour of overseeing
13 these efforts, and am pleased with the progress that
14 has been made and I'm happy to be here today to
15 summarize our efforts and share our progress that
16 we've made in responding to the Orders and
17 recommendations of the Board.

18 As we -- at MPI we share the view with
19 the Board that there are tremendous direct social and
20 economic costs that result from motor vehicle
21 collisions. We also share the view that we, indeed,
22 have an important role to play in developing loss
23 prevention and road safety initiatives to help to
24 control the number of collisions on our roadways and
25 the costs associated with these collisions; both from

1 a human toll perspective and from a direct insurance
2 cost perspective.

3 We do this by working with our
4 stakeholders, all with the intent of reducing the
5 number of fatalities and serious injuries.

6 MPI's loss prevention strategy and
7 framework and our operational plan for road safety,
8 together, represent a strategic, coordinated and
9 measured approach which requires current and future
10 investment decisions be guided by evidence and
11 contribute, in part or in whole, to an overall return
12 on investment.

13 As the implementation of these
14 frameworks progresses and continues to mature, MPI
15 increasingly uses available data to solve problems and
16 identify opportunities, calculate value for
17 investments made and measure their impact.

18 We also continue, as I will speak about
19 our collaboration with stakeholders, to extend the
20 benefit and reach of our loss prevention programs.

21 Over the last three (3) years the
22 Corporation has worked very hard to respond to
23 feedback from the Board, as well as the Intervenors in
24 these proceedings to formalize our loss prevention and
25 road safety efforts. These efforts include

1 development of overarching loss prevention strategy
2 and framework, implementation of which continues based
3 on the framework that was first filed with the Board
4 in 2015.

5 Our three-year operational plans for
6 road safety programming, the second iteration of which
7 was filed with the Board in this year's application,
8 along with the frameworks for research priority
9 setting program development and program evaluation,
10 all of which have been independently evaluated.

11 Development of data dashboards for
12 which each of our programs that form part of the
13 overall prevention portfolio of programs can be
14 viewed. These are now used by program managers and
15 decision-makers to guide their decisions, create
16 benchmarks from which the effectiveness of new
17 programs can be measured and to provide new insights
18 that will help to inform new areas of focus and
19 development of programs and initiatives to address
20 these focus areas.

21 External stakeholder consultation
22 channels have been formalized and are achieving the
23 desired outcomes and annual reporting of our efforts
24 has been established in a format that I believe are,
25 at least I hope, is useful to the Board.

1 An important component of our work on
2 loss prevention and road safety is being able to
3 measure the cost benefit of programs where that is
4 possible, and ultimately demonstrate value for money
5 in terms of achieving outcomes. We know this is an
6 important piece of information for the Board and it is
7 also important to our ratepayers. Ultimately, they
8 must be satisfied that our efforts with respect to
9 loss prevention and road safety are evidence-based,
10 are data-driven and are based on best practice, and
11 that the dollars we invest are appropriately placed to
12 achieve the best possible outcomes.

13 As we've explained in past hearings,
14 the value equation for loss prevention is complex.
15 While it is possible to determine MPI's expenditures
16 relating to individual aspects of loss prevention, it
17 is often difficult to attributlate -- to attribute
18 particular interventions to a specific correlating
19 reduction in collisions, claims and claims costs.

20 This equation is further complicated
21 given that specific initiatives formed just one (1)
22 part of a suite of programming and are combined with
23 external interventions and interdependencies that are
24 designed to address problems from many different
25 perspectives.

1 Nevertheless, inherent in our loss
2 prevention and road safety frameworks is the
3 importance of developing business cases to clearly
4 define costs and anticipated benefits, whether they be
5 qualitative or quantitative. Formalizing our
6 practices in this regard helps to ensure that when it
7 comes to road safety and loss prevention, more
8 generally, we are spending the right dollars on the
9 right priorities, and that those priorities are
10 established based on our formalized frameworks.

11 We have defined loss prevention, and
12 that has been discussed at this hearing in the past.
13 Our loss prevention initiatives undertaken seek to
14 identify and implement programs, to address the
15 primary drivers of claims and claims costs, with the
16 intention of reducing the social and financial impacts
17 to ratepayers.

18 I won't spend a lot of time on this
19 slide as this information has been provided
20 previously, other than to summarize that within our
21 portfolio of loss prevention programs, we focus on two
22 (2) broad categories: efforts to prevent loss and
23 efforts to minimize losses if they occur.

24 The loss prevention programs within our
25 portfolio are identified within each of these

1 categories, as well as where it -- whether they are
2 discretionary or, as I indicated, whether they are
3 required as administrator of the Drivers and Vehicles
4 Act.

5 Ano -- another way to categorize these
6 programs is by the target audience and their function.
7 Over the last year, considerable efforts have been
8 focused on collection, aggregation and use of data as
9 they relate to driver safety programs, vehicular
10 safety programs and loss cost reduction programs.

11 When the loss prevention strategy and
12 framework was first developed, one (1) of the
13 observations of IBM was with respect to data. IBM
14 positioned this as both a strength and an area for
15 improvement by MPI.

16 To explain, the IBM study which was
17 filed in our 2016 General Rate Application found we
18 have a rich amount of data with which to inform our
19 loss prevention efforts. However, in some cases that
20 data is not being collected, reported or used to guide
21 our decisions. This was an important finding for us,
22 and one (1) that we've been working diligently to
23 address. The result is the development of interactive
24 and dynamic data dashboards for each of our loss
25 prevention programs, a sampling of which has been

1 provided in our application.

2 Effective use of data in the manner --
3 in this manner is helping to empower our program
4 managers and giving them new insights into not only
5 the effectiveness of their current programs but also
6 emerging areas of concern that may warrant new
7 attention.

8 Ultimately, this is the foundation of
9 having a strong and dynamic loss prevention framework
10 being fed by data and being fed by evidence, and at
11 MPI we're making strong progress in this regard.

12 I would like to speak for a moment
13 about stakeholder engagement at this -- as this has
14 been an important focus for us at MPI over the past
15 few years. Within the overall construct of loss
16 prevention and road safety, we are no -- we know we
17 are only one (1) of many players. Through both formal
18 and informal stakeholder engagement protocols, we aim
19 to share information, seek input and learn from the
20 perspectives of others who are also involved in this
21 space, and who care as much as we do about controlling
22 claims costs and keeping our roads safe.

23 The stakeholder engagement strategies
24 we've employed provide new and ample -- ample
25 opportunity for regular discussion and collaboration

1 with our stakeholders, including collaboration with
2 the organizations that participate in these
3 proceedings represented by Mr. Williams, Mr. Oakes and
4 Mr. Monnin.

5 Our stakeholder engagement forms fall
6 into three (3) categories. We have our external
7 stakeholder committee on loss prevention, which meets
8 quarterly and the minutes of which have been filed as
9 part of our applications.

10 We are also active on the provincial
11 road safety committee, which I'm pleased to speak
12 about, and -- and the major deliverable of this was
13 the road safety action plan for Manitoba, which was
14 recently released called Road to Zero, Manitoba's Road
15 Safety Plan 2017 to 2020.

16 And supplementing that, we have regular
17 meetings with industry and stakeholder groups, and --
18 where we focus on a narrower scope of consultation
19 with specialized interests.

20 Our engagement principles are very
21 straightforward: We want to engage our stakeholders
22 and we want to build trust and we want to build
23 confidence in our programs. We recognize that
24 knowledge, expertise and the unique perspectives of
25 the stakeholders can help to inform our work and so we

1 engage our stakeholders, not because we have to or not
2 to say that we did, but so that we can recognize the
3 value they bring. And we commit that they will have a
4 say, and we commit that their contributions will
5 influence our decisions.

6 With respect to the external loss prin
7 -- sorry, the external stakeholder committee on loss
8 prevention, this is a committee that has been
9 operating for the last two (2) years. As I indicated,
10 we meet quarterly and it's made up of many
11 representatives from stakeholder groups, including the
12 province of Manitoba through Manitoba infrastructure,
13 the city of Winnipeg through their public works
14 department, the Manitoba Motor Dealers Association,
15 the coalition of Manitoba Motorcycle groups, CAA
16 Manitoba, the Manitoba Trucking Association, the
17 Automotive Trades Association, Safety Services
18 Manitoba, the Consumers Association of Canada
19 (Manitoba), Bike Winnipeg and the Manitoba Association
20 of Chiefs of Police.

21 As I've indicated a summary of our
22 meeting minutes is provided, although, I would caution
23 that the minutes themselves, based on the nature of
24 minutes to meetings, don't accurately reflect the
25 depth or the quality of this -- of the discussion that

1 takes place at these meetings.

2 We are, as I said, involved in the
3 provincial road safety committee, and Manitoba Public
4 Insurance participates on all of the committ -- all of
5 the subcommittees. They're involved in this effort,
6 including the leadership committee, the technical
7 oversight group, as well as the various working groups
8 that will be established to tackle specific road
9 safety priority areas.

10 The -- an update on the committee's
11 work has been provided in the -- our application and
12 the -- as I understand the most recent deliverable,
13 the Provincial Road Safety Action Plan has now been
14 filed with the Board.

15 I won't go into detail on this slide,
16 only to point out that in addition to these formal
17 stakeholder engagement channels. We do continue
18 regularly to meet with individual stakeholders and
19 industry groups to discuss road safety concerns and
20 initiatives specific to their interests. And so, this
21 just provides a sampling of the groups that we've met
22 with over the last year and the specific road safety
23 and loss prevention issues that we've discussed with
24 these groups.

25 I'd now just very quickly like to share

1 some of our road safety priorities and key initiatives
2 for road safety that we're pursuing this year. As I
3 mentioned, I don't want to leave the impression this
4 is a complete list of our road safety work, it is not.
5 We have a full inventory of road safety initiatives
6 and programs that we're involved in that we either
7 drive or we participate in with other stakeholders,
8 but there are some key initiatives that I think are
9 important not just for this year, but for the coming
10 years as road safety continues to evolve in this
11 province that I'd like to briefly touch on.

12 First of all, for some overall context.
13 As you can see prior to 196 -- prior to 2016, we were
14 experiencing really positive downward trending in
15 motor vehicle collisions, fatalities, and fatal
16 collisions in Manitoba. And this was really positive
17 and remains really positive from -- from a loss
18 prevention and road safety perspective.

19 I don't want to suggest that any
20 fatality is okay, as clearly zero fatalities needs to
21 be everyone's target. But when we see downward
22 trending like this, it does tell us that, collectively
23 with our stakeholders, collectively with vehicle
24 technology improvements, with tougher legislation,
25 with greater enforcement and with greater ability to

1 influence driver behaviour and road user behaviour, we
2 are making progress in this province on an overall
3 basis.

4 That said, there was a sharp increase
5 in fatal collisions and fatalities in 2016. There
6 were ninety-six (96) fatal collisions involving a
7 hundred and seven (107) fatalities on public roads and
8 that represented a 37 percent increase in fatalities
9 over 2015.

10 There was also a 15 percent increase in
11 serious injuries. The fatality count in 2016 was the
12 highest in -- since 2011. Why? We saw a significant
13 proportion -- a significant increase in the proportion
14 of single vehicle collisions resulting in fatalities
15 in 2016. We saw 123 percent increase in passenger
16 fatalities, which often drives up the fatality
17 numbers. There may be the same number of fatal
18 collisions, but depending how many vehicles are
19 involved in those collisions and depending how many
20 occupants are in those vehicles will drive the number
21 of victims killed as a result of that collision.

22 Concerning, was that in 36 percent of
23 the fatalities impairment by alcohol or drugs was a
24 contributing factor, speed was a contributing factor
25 in 31 percent of those fatalities, and distracted

1 driving was a factor in 27 percent. I don't give you
2 those numbers with -- with -- with any pleasure.

3 Clearly, when we see increases in fatal
4 collisions and fatalities and serious injuries, it's
5 tragic for all involved. That is the case for the
6 insurer with respect to the claim's cost, but it is
7 absolutely and perhaps more importantly, a concern for
8 society and for our communities and for the families
9 who have lost loved ones.

10 But I don't want to hide from those
11 numbers either. Clearly, the results in 2016 reflect
12 the complexity of road safety and how difficult of a
13 nut that is to crack. Based on the interdependencies
14 that play a role in terms of safety on our public
15 roadways and the interdependencies between road-users,
16 vehicles, the roads they drive on, the speeds they
17 drive legislation, rules of the road, enforcement and
18 public awareness and -- and trying to change road user
19 behaviour to get to a point where no fatality is
20 acceptable on our public roadways in the future.

21 These results do not indicate, and
22 should not be seen as an indication that road safety
23 efforts by MPI or our stakeholders are ineffective or
24 are failing. This just speaks to the randomness and
25 the concern with respect to being able to track and

1 convincingly create downward trending in terms of the
2 results. And to that end, I am pleased to say that,
3 based on 2017 very preliminary data, we have returned
4 to our previously enjoyed downward-trending in fatal
5 collisions and fatalities. These are very preliminary
6 numbers, but to the end of September of 2017 there
7 were:

8 Thirty-three percent fewer fatal
9 collisions and 20 percent -- I'm sorry, 23 percent
10 fewer fatal collisions than in 2016, and 20 percent
11 fewer fatal collisions than in the previous five year
12 period on average.

13 There were also 29 percent fewer deaths
14 in the first seven (7) months of the calendar year
15 compared to last year and 18 percent fewer serious
16 injuries over the five-year period.

17 With respect to MPI's role and mandate,
18 again, we have talked about this with respect to MPI's
19 role within the broader road safety construct. Our
20 role is grounded in legislation and is driven by our
21 mission and our mandate. As we've discussed, road
22 safety is highly complex. I've been involved with
23 this initiative and these functions for the last
24 decade, both through Manitoba Public Insurance and
25 through my involvement with Canadian Council of Motor

1 Transport Administrators and the American Association
2 of Motor Vehicle Administrators. And it is a complex
3 issue that requires tight collaboration between many,
4 many stakeholders. As I've indicated the
5 interdependencies that exist, that make this such a
6 complex equation to unravel include: road users, the
7 vehicles they drive, the roads they drive on, the
8 legislation and rules of the road that govern their
9 activities, enforcement of those rules and
10 environmental factors and influencers.

11 To that end, a three-year operational
12 plan for road safety is what guides our work in this
13 area. Overall frameworks that guide our research
14 priority setting, program development and program
15 evaluation work have also been completed. The first
16 of these operational plans was created in 2014, was
17 independently evaluated, and has been the subject of
18 much consultation with our external stakeholders.

19 The new three-year plan was finalized
20 into the seven -- 2017 and has now been filed with
21 this Board, and vetted through our external
22 stakeholder committee on loss-prevention.

23 When we establish our priorities for
24 any particular year, we do rely on the methodologies
25 that have been outlined in our priority setting

1 framework and we look at many inputs including:
2 collision data, claims data, national inputs, public
3 input and public support for our efforts, stakeholder
4 priorities and the relative cost of these programs in
5 relation to the costs to the insurance pool.

6 Just to briefly summarize the -- our
7 key priorities for 2017 remain: Dealing with the
8 issue of distracted driving, speed, and impaired
9 driving, which far too often represent contributing
10 factors, either alone or in combination with each
11 other when it comes to collisions, fatalities and
12 serious injuries.

13 Those aren't the only priorities that
14 we have though. We do recognize there is a need to
15 focus on pedestrian safety, following too closely, use
16 of occupant restraints, motorcycle safety and cycling
17 safety, to name a few.

18 We are also carefully examining
19 emerging issues such as the issue of mature drivers
20 and the extent to which, as people age, their
21 cognitive -- their cognition declines. Their physical
22 attributes decline. Their reaction time and judgment
23 decline. And as the population in Manitoba ages, we
24 will see a time where more and more people will
25 outlive their driving ability. And so we need to get

1 ahead of this issue, both from a regulatory
2 perspective and a road safety user and education and
3 awareness perspective.

4 Lastly, we are -- we are in -- we are
5 examining very closely and are excited next year to
6 make progress on what we're calling a "Traffic Safety
7 Culture" initiative, where we are truly trying to get
8 at changing road-user behaviour, to the point where no
9 one will be accepting of a serious injury or a
10 fatality occurring on a public roadway in the future.
11 This is significant behavioural change that may take
12 generations to fully implement. But we've seen it
13 being implemented in other jurisdictions,
14 internationally. We think it has significant
15 potential and we think that it can make meaningful
16 difference. So, we're anxious to continue working
17 with our stakeholders to pursue those initiatives.

18 The High School Driver Education
19 program is a program that we've administered for many
20 years; very proud of that program. Nearly 12,000 teen
21 drivers go through that program every year. It is
22 significantly subsidized by the organization. It also
23 has a very significant component of in-class training,
24 in-vehicle training, observation training and a -- a
25 supervised driving component with parents or legal

1 guardians to reinforce the concepts that have been
2 learned in the program. We do this through a network
3 of commercial driving instructors and driving schools
4 who deliver these programs on our behalf using MPI
5 curriculum. Our program development in this area
6 continued in 2017/'18, and will continue into 2018 and
7 '19.

8 And I'll address the things that we're
9 looking at, particularly this year that we expect to
10 pilot by the end of this year. We're also looking at
11 expanding our programming into remote and northern
12 communities, working directly with the MKO and, as
13 well, we continue to deliver adult education
14 programming for those adults who may not have that --
15 had access to the high school program, new immigrants
16 and refugees coming to our province, as well as
17 members of andid -- the indigenous communities and
18 remote northern communities, who simply may not have
19 access -- have had access to the high school program
20 because of the ra -- remote communities in which they
21 lived.

22 For this coming year and the current --
23 and the next year, we are working on a significant
24 redevelopment of our program curriculum in the High
25 School Driver Ed program. And really what we're

1 looking at here is focusing much more on what we call,
2 "higher order learning competencies". Understanding
3 the rules of the road is important. Understanding the
4 skills necessary to operate a vehicle safely is
5 important, but what's really going to make a
6 difference for new young drivers, in our view, is
7 focusing on the -- the -- the higher-level
8 competencies of judgment, attitude, decision-making,
9 hazard perception and propensity to taper it -- take
10 risk.

11 We do believe that if we can make
12 inroads with respect to those competencies that that
13 will much better prepare the students that take these
14 programs to absorb the material that we're providing.
15 And to a -- in the end of the day become better, safer
16 drivers in the long-term. So we're working very hard
17 on the redevelopment of that curriculum. We intend to
18 better leverage classroom hours by shifting some of
19 our knowledge-based program content to online mobile
20 and computer-based learning.

21 We will begin to communicate with the
22 participants in this program through the social media
23 channels that they are accustomed to being
24 communicated with. And we will provide additional
25 supports for parents and legal guardians to better

1 equip them for the important role of coaching their
2 children as they go through this program and after
3 this program to reinforce safe-driving concepts.

4 We're also looking at developing a new
5 instructor competency model. Recognizing that, as we
6 -- as we alter the curriculum and move to higher-order
7 learning, there are competencies that are required in
8 order to -- to successfully and effectively facilitate
9 that learning. And so, we'll be working with our
10 commercial driving instructors to help them make that
11 change.

12 This year we were proud to introduce
13 the DRIVR-X Program. And this is a virtual reality
14 program. Again, our intent is to figure out how best
15 to prepare messaging, to provide messaging in a way
16 that resonates with the demographic that we're trying
17 to get to, which is the youngest demographic. This --
18 this technology -- this virtual reality technology
19 actually puts kids into simulated environments where
20 they can experience the consequences of making poor
21 driving decisions relative to distracted driving
22 relative to speed, and relative to impairment by
23 drugs.

24 Just some very quick numbers that tell
25 you how confident we are that this will make a

1 difference in -- in the extent to which it is reaching
2 young drivers. The -- our "choose your reality"
3 website has had more than eighty-eight thousand
4 (88,000) visits since this program was launched
5 earlier this year. We've had two-thousand (2000)
6 views of the program. I'm sorry, two-hundred thousand
7 (200,000) views of the program on YouTube. We've had
8 forty-eight thousand (48,000) reach through Facebook.

9 The event simulators that we've created
10 have been booked approximately fifty-five (55) days of
11 every month or two-thirds (2/3), I'm sorry, three-
12 quarters (3/4) of every working day. We've developed
13 a take-home version of this simulator that -- that
14 that kids can take home and share with their friends
15 and family and help spread the message about the
16 dangers and consequences of impaired driving by drugs,
17 distraction and speed.

18 We've also received positive feedback
19 on the program. Eighty-four percent of people who
20 have taken -- gone through this -- the virtual reality
21 experience, tell us that it has helped them to
22 understand the importance of safe choices. Eighty
23 percent tell us they will go home and talk to their
24 friends and families about both the program and the
25 road safety issues that we're conveying. And 78

1 percent told us that they will drive more safely,
2 after going through this experience.

3 I'd also like to talk very briefly
4 about drug impairment. We are concerned that any form
5 of impaired driving will cause collisions, fatalities
6 and serious injuries. And therefore, we have a vested
7 interest in working proactively with our other road-
8 safety stakeholders to address the issue of drug
9 impaired driving. Earlier this month -- month, we
10 launched a broad Omnichannel public-awareness campaign
11 intended to educate Manitobans and raise awareness
12 about the dangers and consequences of drug impaired
13 driving.

14 The intent, quite frankly, is to raise
15 awareness about drugs generally, and about how
16 cannabis, in particular, can impair driving. So
17 that when cannabis becomes legal in 2018, drivers will
18 be in a position to make informed, safe decisions
19 about whether to drive after consuming cannabis. The
20 campaign includes a four-pronged approach with
21 messaging focused on four (4) distinct audiences:
22 New teen drivers to our high school driver education
23 program, youth in general, the medical community and
24 their patients, and the general public.

25 Starting this fall with significant

1 enhancements to the high school driver-education
2 program have been introduced to specifically address
3 the dangers and consequences of cannabis impaired
4 driving. These messages are being targeted not just
5 to the students in the program, but to the parents who
6 are responsible for those children and the legal
7 guardians. Those who we rely on to enforce safe
8 driving habits and model good driving behaviour.

9 Our MythBuster campaign will also
10 debunk some of the misconceptions that exist with
11 respect to how cannabis and other drugs do affect
12 concentration, motor skills and judgment, both of
13 which -- all of which can consi -- significantly
14 impair driving. Messaging will also be directed to
15 the general public using both traditional and social
16 media platforms.

17 We'll also be addressing the use of
18 prescription medication and that includes medical
19 marijuana and how these sorts of drugs can also affect
20 driving. We're doing this in partnership with the
21 medical community, as they are best positioned to have
22 conversations with their patients about how
23 prescription medications can affect concentration,
24 reaction time and driving focus. We're doing this
25 because we know from our research of drug impaired

1 driving in US jurisdictions that have already
2 legalized cannabis, particularly in the states of
3 Washington and Colorado, that they experienced very
4 significant increases in drug impaired driving, in
5 drug impaired driving collisions and fatalities in the
6 years following legalization of cannabis.

7 In Washington, the incidents of active
8 TC -- THC, which is the psychoactur -- active
9 ingredient in cannabis that alters judgment, the
10 incidents of active THC in tested drivers increased by
11 74 percent in the first four (4) years after
12 legalization. Drug-related motor vehicle fatalities
13 also nearly doubled in that period. And, similarly,
14 in Colorado there was an increase of nearly 75 percent
15 in drivers testing positive for cannabis.

16 We also know from our own roadside
17 surveys that were commissioned in the fall of 2016,
18 that drug use among drivers in Manitoba is a
19 significant concern. In the surveys that we
20 conducted, one (1) in ten (10) drivers who voluntarily
21 submitted to testing in the surveys tested po --
22 positive for the presence of drugs. With 53 percent
23 of these drivers testing positive for cannabis, 31
24 percent testing positive for cocaine and 22 percent
25 testing positive for more than one (1) drug in their

1 system at the time of testing. In our view, these are
2 collisions waiting to happen.

3 Of fu -- further concern is that that
4 same survey data revealed significant
5 misunderstandings and misconceptions about how
6 cannabis can impaired driving; that was particularly
7 the case for young drivers. Taken together, the
8 experience in other jurisdictions, the prevalence of
9 drug use among Manitoba drivers today and clear
10 misconceptions about how drugs can impaired driving,
11 taken together, these things ask -- these things give
12 us a very sific -- significant concern that when
13 cannabis is legalized drug impaired driving
14 collisions, fatalities and serious injuries will
15 increase.

16 This is why we're working so hard with
17 our other stakeholders to get ahead of this issue and
18 to educate drivers about the real consequences of
19 cannabis impaired driving. Also, that when cannabis
20 becomes more accessible in Canada drivers will be able
21 to make informed decisions, right decisions, safe
22 decisions about whether to drive after consuming
23 cannabis.

24 This year were also launching a new
25 Gravel Road Strategy. And this Gravel Road Strategy

1 is really a three-prong strategy. First of all, it
2 involves mandatory training as part of our high school
3 driver-education program; that is not just in-class
4 training, but mandatory in-car training on gravel
5 roads.

6 We've also launched a targeted public
7 awareness campaign on gravel road risks and are
8 supporting the RCMP in enhanced speed enforcement on
9 gravel roads. Regardless of how experienced a driver
10 is, we know there are unique challenges in driving on
11 gravel roads. And particularly for drivers who are
12 used to driving in urban settings, they may not be
13 aware of how significant a small turn in the steering
14 can affect the stability of the vehicle on a gravel
15 road. That also differs based on whether the gravel's
16 been freshly laid, whether it's wet or whether it's
17 been freshly oiled. Our intent here is to raise
18 awareness about these issues and to better educate
19 drivers, particularly new drivers about the unique
20 challenges that exist when driving on gravel roads.

21 Why? Because thirty-six hundred (3600)
22 collisions per year, on average, based on 2012 to 2014
23 data occurred on gravel roads. Fourteen percent of
24 fatal collisions over that period occurred on gravel
25 roads. And often what we find, unfortunately, is that

1 when gravel road driving is combined with speed or
2 distracted driving or impaired driving, it is a recipe
3 for disaf -- for disaster.

4 A few months ago we spoke at an ev -- I
5 spoke at an event in 2016, I believe it was August.
6 When we -- when we decided we need to sound the alarm
7 bells about the increase in fatal collisions in 2016.
8 And that was about a week after there was a fatal
9 collision involving two (2) young male drivers in
10 rural Manitoba and what -- the passenger in that
11 collision lost his life.

12 So, they were driving on a gravel road.
13 They were speeding. The driver was impaired. The
14 passenger was not wearing his seatbelt. The vehicle
15 lost control. The passenger was ejected from the
16 vehicle and killed. These were young drivers who will
17 have just come out of the Driver Education Program.
18 So these are young drivers who understood the
19 consequences of impaired driving, speed, distracted
20 driving, and non-use of seatbelts but, yet who,
21 nevertheless, made the decision to take the risk with
22 those high-risk behaviours. And the result was
23 tragic. And it occurred on a gravel road.

24 So these are the things that, when
25 combined, tell us that we need to be more active. And

1 I can tell you that based on most recent figures
2 those numbers don't look any better. In 2015, there
3 were thirty-eight hundred (3800) collisions on gravel
4 roads. And in 2016, there were forty-three hundred
5 (4300) collisions on gravel roads, which is why we're
6 taking action to try and address this issue with our
7 partners.

8 Finally, in terms of cycling safety.
9 We are focusing many efforts on cycling safety. Last
10 year we talked about a pilot program called the "BEST
11 Program", Bicycle Education and Skills Training, in
12 schools. I'm proud to say, and pleased to say we did
13 that, in collaboration with all of our partners
14 including Bike Winnipeg, and that that program has
15 been a real success in the Seven Oaks School Division.

16 This is about embedding directly into
17 the physical education curriculum in our school system
18 important training on cycling safety, not just so that
19 kids can be safer on the roads, but so that as those
20 kids get older and become drivers, they will be more
21 understanding and empathetic about the risks that
22 exist for cyclists when they're sharing the road with
23 vehicles.

24 That is only one (1) of our
25 initiatives, though, with respect to cycling safety.

1 We continue with our cycling -- our other cycling
2 safety programs. Our cycling champion program. Our
3 workplace cycling safety program for commuter
4 cyclists. We've added information about the
5 importance of cycling safety and sharing the road
6 carefully and appropriately with cyclists in our
7 provincial Driver Handbook. And have put significant
8 content into our High School Driver Education program.

9 Finally, this year I'm really pleased
10 that we were able to work with Bike Winnipeg on a new
11 public awareness campaign called, "Leave Space to
12 Breathe". This is a new campaign that more than ever
13 before specifically calls out the expectation that
14 drivers leave a metre of space when passing cyclists.
15 Because cyclists need the space to navigate on the
16 road and navigate around obstacles on the road. And
17 they cannot ride safely, knowing that they're going to
18 be brushed up against by a two-thousand (2000) pound
19 vehicle or a five-thousand (5000) pound truck or a
20 fifty-thousand (50,000) pound semitrailer.

21 So our messaging is clearer than ever
22 and we were really pleased to work with Bike Winnipeg
23 and my understanding is Bike Winnipeg was also very
24 pleased that we were able to come out with much
25 clearer direction, in terms of the importance of

1 leaving a metre of space so that cyclists can ride
2 safely.

3 The last thing I would like to do, just
4 very briefly is talk about road safety in the broader
5 context, as I promised. And here I'd like to talk
6 about the work of the Provincial Road Safety Committee
7 and its most recent and most suc -- significant
8 deliverable, The Manitoba Road Safety Plan.

9 We have talked about before, the fact
10 that when it comes to road safety, MPI is only one (1)
11 player and that there are many other stakeholders that
12 share in becoming part of the solution to improving
13 the roads in Manitoba. And we really believe that the
14 government's decision to create a Provincial Road
15 Safety Committee and to pursue, at a provincial
16 jurisdictional level, road safety priorities and a
17 road safety action plan is the solution we need to
18 bring the stakeholders together and to create
19 solutions that will make a meaningful difference.

20 Those solutions, whether they be road
21 user behaviour, changing driver behaviour, or whether
22 they be roadway infrastructure, safe speeds, vehicle
23 technologies and say -- vehicle safety and -- and --
24 and those sorts of initiatives, this plan represents a
25 commitment from all stakeholders. It outlines the

1 current environment, including both the personal and
2 social costs of collisions. It is grounded in the
3 Safe Systems Approach. And it does ground itself in
4 the concept of towar -- the principles of moving
5 toward zero. Moving to a point where again, no one
6 will think it's okay that we've lost even one (1) life
7 as a result of a motor vehicle collision. It
8 identifies priorities for safe roads, safe vehicles,
9 safe road users, and safe speeds. And the plan also
10 documents how progress is to be measured with respect
11 to the work of these priorities and the effectiveness
12 of these interventions.

13 As I said, the program does look at it
14 from a safe systems concept. It does recognize that
15 with safe systems that accidents, although they are
16 mostly preventable, are quite likely unavoidable, that
17 there will always be lack in judgment that will result
18 in collisions, and therefore, to minimize the impact
19 of those collisions and reduce the likelihood of
20 fatality and serious injuries.

21 A -- a holistic -- sorry. A holistic
22 approach needs to be factored in with all the
23 stakeholders. We need to look not just at how to
24 improve safe road users through education and
25 awareness, which is MPI's very clear mandate, but we

1 also need -- need -- do need to look at roadway
2 infrastructure, how roads are designed, how they're
3 maintained, and whether they are designed in a way
4 that is intended to mitigate the outcomes of collision
5 should they occur.

6 We need to be concerned about the
7 safety of vehicles and deal directly with automobile
8 manufacturers in Canada to -- to elevate and escalate
9 the involvement of vehicle technologies that help to
10 keep drivers safe and help to replace sometimes what
11 can be poor judgement from a driver with technologies
12 to avoid collisions. And as well, focusing on safe
13 speeds, and again, the focus on toward zero as a -- as
14 a -- as a core concept behind the Road Safety Plan and
15 that thus being the name of the plan.

16 We really do believe that we have
17 gotten to a point now where MPI's efforts with respect
18 to education and awareness can be supplemented and can
19 be complemented by the efforts of other stakeholders
20 through a committee that brings all relevant
21 stakeholders together to talk in a holistic manner
22 about how road safety can be approved in Manitoba and
23 how we can continue to move the needle and continue to
24 show the downward trending and maintain the downward
25 trending in collisions, and fatalities, and serious

1 injuries on our public roadways.

2 The last slides are -- are simply a --
3 a summary of the PUB Orders that were presented from
4 last year and how MPI has responded to those orders.
5 And I am -- as we go through the -- the exper -- the
6 examination today, I'm pleased to talk about the
7 responses to these Orders.

8 So I won't go into detail about these,
9 but what these slides do, they do -- and they are
10 reflected in the application itself, is provide a
11 summary of the manner in which we've responded to the
12 orders that were provided from last year's -- from
13 last year's ruling. I assume everybody's able to read
14 all those. Just kidding.

15 Finally, just to wrap things up for me
16 before we open it up for examination, with the
17 guidance of the -- of this Board, quite frankly, and
18 with the input from the intervenors and their -- the
19 clients that they represent, I do believe that MPI's
20 made significant and meaningful progress in advancing
21 loss prevention efforts to reduce collision frequency
22 and severity, notwithstanding the eff -- the results
23 that we saw in 2016. We will always see increases.
24 We will always see decreases, but overall, I think we
25 are making progress.

1 A new provincial mandate to pursue a
2 holistic safe systems approach to road safety will
3 provide an excellent opportunity for further progress
4 that will benefit all road users, and this holistic
5 multifaceted approach we know and we share with the
6 Board and intervenors is absolutely the best approach,
7 based on evidence and based on proven or promising
8 practice, and is executed with fiscal prudence.

9 Now, we look forward to continuing this
10 path. We look forward to continuing to collaborate
11 with our stakeholders within this broader road safety
12 construct in Manitoba. Thank you.

13 THE CHAIRPERSON: Thank you, Mr.
14 Keith. Ms. McCandless...?

15 MS. KATHLEEN MCCANDLESS: Thank you,
16 Mr. Chair. Good morning, Mr. Keith. I've -- just to
17 let you know, Mr. Chair, I expect to be forty-five
18 (45) minutes or so with Mr. Keith, maybe half an hour,
19 if I'm being very optimistic. So I can -- I'm
20 certainly happy to proceed now or -- and we can break
21 later.

22 THE CHAIRPERSON: I think maybe we'll
23 proceed now, the normal break would be at 10:30. So
24 let's -- let's proceed now and --

25 MS. KATHLEEN MCCANDLESS: Okay.

1 THE CHAIRPERSON: -- we'll see how it
2 goes.

3

4 CROSS-EXAMINATION BY MS. KATHLEEN MCCANDLESS:

5 MS. KATHLEEN MCCANDLESS: Thank you.
6 Mr. Keith, you would agree that successful loss
7 prevention and road safety strategies can minimize
8 economic and social costs for ratepayers; yes?

9 MR. WARD KEITH: Yes.

10 MS. KATHLEEN MCCANDLESS: And of
11 course, reduce claims costs as well?

12 MR. WARD KEITH: That's right.

13 MS. KATHLEEN MCCANDLESS: Now you are
14 aware that as part of this application, the
15 Corporation is asking for an increase to the driver
16 premium on the demerit side of the driver safety
17 rating scale?

18 MR. WARD KEITH: Yes.

19 MS. KATHLEEN MCCANDLESS: And Diana,
20 could you please pull up PUB-MPI-2-3.

21

22 (BRIEF PAUSE)

23

24 MS. KATHLEEN MCCANDLESS: Now, this
25 was an Information Request that was asked of the

1 Corporation that referred back to the original
2 application before the Board for the driver and
3 insurance premiums on the proposed driver safety
4 rating scale, back in 2009.

5 And in the preamble to the IR here,
6 there's a comment about how the Corporation at that
7 time had looked at a maximum of twenty-five hundred
8 dollars (\$2500) on the demerit side of the scale. And
9 the question was with respect to DSR levels in minus
10 eighteen (18) to minus twenty (20) because the
11 proposed changes would have the maximum being above
12 that twenty-five hundred dollars (\$2500).

13 There's a question here about four (4)
14 aspects of increasing that driver premium, and the --
15 the aspect that I'm interested in your evidence about
16 is (a) public acceptance. So if we -- if we turn to
17 the answer on public accept -- acceptance, the
18 Corporation had stated that anticipated strong overall
19 public support for the concepts of -- of increasing
20 the premiums on the demerit side.

21 I'm just wondering if you have any
22 information yourself from a public support perspective
23 as to whether the Corporation has done any polling or
24 focus groups on public support for increasing the
25 demerits.

1 MR. WARD KEITH: So thank you for that
2 question. We have not done specific focus groups or
3 polling at this point on the proposed increase to the
4 demerit levels. What we do know, though, and the --
5 the genesis for the -- the belief that -- that the
6 change to the DSR rating will be publicly supported is
7 based on our regular public polling of Manitobans, and
8 based on the focus groups that were done with
9 Manitobans as we were developing the DSR program when
10 it was first introduced.

11 And more specifically, you know, when
12 we did the consultations around the introduction of
13 DSR as at the conceptual level, we asked our -- our
14 customers, Manitobans, a question simply with respect
15 to, Do you believe someone should pay more for their
16 insurance if they represent a risk -- a higher risk to
17 -- to the insurance fund? We asked specifically about
18 offences for leaving the scene of an accident, driving
19 while impaired, violating GDL restrictions, driving
20 through a stop sign, not wearing a seatbelt, driving
21 over the posted speed limit.

22 We looked at this and we asked for
23 customers' views on whether or not they thought that
24 these sorts of high risk behaviours do represent an
25 increased risk to the insurance pool and therefore

1 those drivers should pay more. And the response that
2 we got very clearly was that on an overall basis,
3 Manitobans do believe that -- that people who exercise
4 these high-risk drive bet -- driver behaviours should
5 be paying more for their insurance.

6 In our public polling, we also asked,
7 Do you think people are paying the right amount of
8 money for the -- the right amount of insurance? And
9 what we were told is that more than half of the
10 Manitobans we asked told us that poor drivers are not
11 paying enough. They're not paying their own way in
12 terms of the risks that they're providing to the
13 insurance pool.

14 We also know that when we announced
15 this as part of our General Rate Application, and in
16 fact, it was just reported on the CBC website over the
17 weekend, that there -- there -- that -- when -- when
18 we look at the comments from the public to these news
19 stories about the increase in the driver safety rating
20 program premiums -- and I'm not for one (1) minute
21 suggesting that the public comments that are on the
22 Winnipeg Free Press website should be taken as
23 statistically sound, but -- but generally what they
24 tell us is that the people who care to comment on that
25 -- on this issue are supportive of poor drivers paying

1 more.

2 We also know that the -- the movement
3 is supported by our stakeholders. CAA Manitoba, for
4 example, was supportive and is very supportive of the
5 change to the DSR model as a means of making sure that
6 high-risk drivers that cost the insurance fund more
7 are paying their own way and not being subsidized by
8 good drivers.

9 MS. KATHLEEN MCCANDLESS: Thank you.
10 So just to clarify, the public polling that you
11 referred, to how often is that public polling done?

12 MR. WARD KEITH: The public polling is
13 done quarterly, but the questions that we asked around
14 road -- that we ask around road safety is done
15 annually.

16 MS. KATHLEEN MCCANDLESS: Okay. And
17 when you say there was initial public support for
18 drivers who have poor driving behaviour paying more,
19 was that -- were you talking about initially in the
20 run-up to the -- the initial DSR application, or
21 generally on an annual -- or --

22 MR. WARD KEITH: No. I -- I'm
23 referring specifically to the consultations and
24 outreach that was done with Manitobans when we first
25 introduced the Driver Safety Rating Program. So not

1 with respect to this particular application, but in
2 lead up to the introduction of the Driver Safety
3 Rating Program.

4 And those consultation findings I -- I
5 believe have been filed with the Board, although it
6 would've been several years ago.

7 MS. KATHLEEN MCCANDLESS: In and
8 around 2009, probably?

9 MR. WARD KEITH: That would have been
10 in the area, yes.

11 MS. KATHLEEN MCCANDLESS: And so the
12 public polling that -- that tells you that generally,
13 the public is saying -- I think it was over 50 percent
14 of the respondents were saying that poor drivers were
15 not paying enough. Was that at that time, or has that
16 been an annual question that MPI has asked?

17 MR. WARD KEITH: It has been an annual
18 question, and the most recent results were from the
19 rolling poll conducted in the field in July of 2017.

20 MS. KATHLEEN MCCANDLESS: And were
21 those the results where 50 percent or more than 50
22 percent of the respondents --

23 MR. WARD KEITH: Yes. It's
24 approximately 50 percent. Yeah.

25 MS. KATHLEEN MCCANDLESS: I see youm

1 referring to some paperwork. Do you have those
2 polling results in front of you?

3 MR. WARD KEITH: I don't. I just have
4 the -- that -- I was looking for the date of the --
5 the date of the survey, and it was in July of 2017.

6 MS. KATHLEEN MCCANDLESS: Is that
7 information something that the Board could be provided
8 with, the results of that public polling?

9 MR. WARD KEITH: Yes, we could take
10 that as an undertaking.

11 MS. KATHLEEN MCCANDLESS: Okay. Thank
12 you. So that would have been July 2017 --

13 MR. WARD KEITH: That's right.

14 MS. KATHLEEN MCCANDLESS: Public
15 polling results? Thank you.

16 MR. MATTHEW GHIKAS: So the
17 undertaking, as I understand it, madam reporter, is to
18 provide the July 2017 results of the surveys relating
19 to public -- public perception regarding higher --
20 higher risk drivers paying more, correct?

21 MS. KATHLEEN MCCANDLESS: Yes.

22 MR. MATTHEW GHIKAS: Thank you.

23

24 --- UNDERTAKING NO. 17: MPI to provide the July
25 2017 results of the

1 surveys relating to public
2 perception regarding
3 higher risk drivers paying
4 more

5

6 CONTINUED BY MS. KATHLEEN MCCANDLESS:

7 MS. KATHLEEN MCCANDLESS: Now, at the
8 outset of your -- your presentation, you mentioned the
9 value management process.

10 MR. WARD KEITH: Yes.

11 MS. KATHLEEN MCCANDLESS: And just to
12 clarify, is that value management process now being
13 used for all road safety initiatives going forward?

14 MR. WARD KEITH: For new road safety
15 initiatives it is being used, yes.

16 MS. KATHLEEN MCCANDLESS: Is there a -
17 - a financial threshold for initiatives to follow the
18 value management process? So is there a minimum amou
19 -- amount of the initiative for it to follow that
20 process?

21 MR. WARD KEITH: There's not --
22 there's not a financial threshold that's been formally
23 established, but whenever we look at new road safety
24 initiatives, our practice now is to prepare a business
25 case that outlines the cost and benefit of that.

1 Where we are looking at expanding current programming,
2 a business case is not always conducted, but certainly
3 with respect to -- to new road safety initiatives,
4 that is done.

5 MS. KATHLEEN MCCANDLESS: Thank you.
6 And Diana, can you please pull up page 8 from the loss
7 prevention section of the filing. If we scroll to the
8 bottom of the page, at the conclusion of -- of last
9 year's hearing, so the Order 10.26 asked for a -- an
10 update on the progress of the loss prevention and road
11 safety framework, and that should be a dashboard
12 project.

13 And so that update has been provided.
14 At the bottom of the page, it's noted that the Loss
15 Prevention Dashboard Project was initiated with the
16 identification of Phase 1, 2016/'17, and Phase 2,
17 2017/'18 development priorities.

18 Do you see that in front of you?

19 MR. WARD KEITH: Yes.

20 MS. KATHLEEN MCCANDLESS: Okay. Can
21 you just please explain what those Phase 1 and Phase 2
22 development priorities were?

23 MR. WARD KEITH: Sure. So as -- as
24 we've laid out, within the overall loss prevention
25 portfolio at MPI, there are a number of different loss

1 prevention programs. And these are programs that are
2 administered throughout the organization. Some are
3 discretionary programs, and some are regulatory
4 programs under the Drivers and Vehicles Act.

5 So our intent here was to develop data
6 dashboards that could be used by the program managers
7 to help inform their decisions, to help validate the
8 work that they're doing, and to help identify new
9 areas of focus that they need to concentrate on.

10 So strictly from a work load and
11 priority perspective, we divided the work into Phase 1
12 and Phase 2, which really just means, What are the
13 programs that we targeted to develop data dashboards
14 for in '16 and '17, and what are the programs that
15 we're continuing to develop programs for this year?

16 So in Phase 1, we developed programs
17 for -- sorry, data dashboards for our Driver Testing
18 Program; our High School Driver Education Program, our
19 driver fitness programs, both with -- with respect to
20 medical compliance and driver improvement; our road
21 safety programs with respect to distracted, impaired,
22 and speed as contributing factors; the Winter Tire
23 Program; our subrogation efforts; fraud
24 investigations; auto theft; vehicle inspections, and
25 our Basic Fleet Management Program. So those are

1 programs that are within the portfolio of programs
2 under our loss prevention umbrella.

3 Moving forward, we're currently working
4 on similar dashboards for RSR Reflate Management --
5 Fleet Management Program, SRE being our special risk
6 extension division. Adult driver education programs,
7 our non-behavioural programs with respect to road
8 safety, our Driver Safety Rating Program, salvage and
9 the work that we're doing in terms of the -- on the
10 physical damage side of our business, working with the
11 industry on safe and proper repair.

12 Now, a number of these programs are not
13 directly affiliated with the Basic program and are not
14 funded by the Basic program, but from a holistic
15 perspective, we did want to provide an overview of all
16 of the work that's being done. And what's being
17 shared this year is -- is a sampling of the work that
18 has been achieved with respect to the data dashboards.

19 MS. KATHLEEN MCCANDLESS: Thank you.
20 As I understand it, there are some difficulties with
21 data collection with respect to some of the
22 anticipated dashboards. Is that right?

23 MR. WARD KEITH: That's right.

24 MS. KATHLEEN MCCANDLESS: And if we
25 scroll to page 10 of this section of the filing, there

1 is a reference to the availability of data. So there
2 is an issue with accessibility due to privacy and
3 access restrictions in some cases?

4 MR. WARD KEITH: Yes.

5 MS. KATHLEEN MCCANDLESS: And I also
6 understand that for -- for many of the program area --
7 areas, then, quantification of the benefit stream from
8 -- from the investments that are made are going to
9 require further research and development; yes?

10 MR. WARD KEITH: That's right. With
11 respect to the availability of data, a -- a -- yeah, a
12 -- a good examp -- and this is where the data -- there
13 is data. It's just not readily available, and it
14 needs to be -- it needs to be modified in a way that
15 we can track it and that we can use it and report on
16 it.

17 And a perfect example of that is when
18 someone takes a road test. So when they take a road
19 test, they are scored by the driver examiner, and it
20 helps to identify where they have failed, why they
21 have failed, and where they need to -- where they need
22 to reinforce their driving skills before they take the
23 road test again. That document is reviewed with the
24 road test applicant and handed to the road test
25 applicant. And the applicant can take that away and

1 use that to help prepare and become a safer driver for
2 the next road test.

3 When we release that -- that document,
4 we release a wealth of information that we could be
5 using to better inform what we teach in our High
6 School Driver Education Program, or what we teach in
7 our adult education programs, or what we highlight in
8 our provincial driver handbook. So we're going
9 through the process now of looking at those pockets
10 where we actually have data, but we just need to do a
11 better job of collecting it, aggregating it, and
12 reporting on it. And so that's what we mean when it
13 comes to the availability of data.

14 MS. KATHLEEN MCCANDLESS: Thank you.
15 Now, we saw in your -- in your presentation, and it's
16 also in the filing, the three (3) behaviour change
17 priority issues, being distracted driving, speed, and
18 impaired driving?

19 MR. WARD KEITH: Yes.

20 MS. KATHLEEN MCCANDLESS: And Diana,
21 could you jump ahead to page 31. So as I understand
22 it, this is an example of what has been generated
23 through the dashboard project with respect to
24 distracted driving; yes?

25 MR. WARD KEITH: Yes.

1 MS. KATHLEEN MCCANDLESS: And then if
2 we move ahead to page 32, we see the driver behaviour
3 dashboard for speed; yes?

4 MR. WARD KEITH: Yes.

5 MS. KATHLEEN MCCANDLESS: And page 33
6 is the driver behaviour dashboard for impairment; yes?

7 MR. WARD KEITH: Yes.

8 MS. KATHLEEN MCCANDLESS: And so I
9 appreciate you just had a brief moment to look at all
10 three (3), but if we look to the three (3) bars with
11 respect to the impairment dashboard on the right-hand
12 side of the graph, we see 2015. And at the top is
13 fatal collisions with respect to impaired driving;
14 yes?

15 MR. WARD KEITH: Yes.

16 MS. KATHLEEN MCCANDLESS: And so, I
17 would gather the conclusion from looking at all three
18 (3) of these is that of the three (3) driver behaviour
19 issues, impairment, at least in 2015, came with the
20 highest proportion of fatalities; yes?

21

22 (BRIEF PAUSE)

23

24 MR. WARD KEITH: I'm sorry for the
25 delay. I should have brought my glasses.

1 (BRIEF PAUSE)

2

3 MR. WARD KEITH: I'm sorry, what was
4 the question?

5 MS. KATHLEEN MCCANDLESS: When we look
6 at each three (3) -- all three (3) dashboards, it
7 looks to me as though with respect to 2015, I'm not
8 talking about total numbers, but on a proportional
9 basis, impaired driving came with the highest
10 proportion of fatalities --

11 MR. WARD KEITH: Correct.

12 MS. KATHLEEN MCCANDLESS: -- or fatal
13 in --

14 MR. WARD KEITH: Yes, that's right.

15 MS. KATHLEEN MCCANDLESS: --
16 collisions; yes? Okay.

17 Thank you. And I understand that one
18 (1) of the ways in which MPI addresses the issues of
19 impaired driving also distracted driving is through
20 enhanced enforcement. Is that right?

21 MR. WARD KEITH: That's right.

22 MS. KATHLEEN MCCANDLESS: Okay. And
23 if we turn to Appendix 3 of the loss prevention
24 section of the filing, this is the 2016/'17 enhanced
25 enforcement analysis, and page 5 contains some detail

1 about what the program involves.

2 Just to summarize, I understand that
3 what the enhanced enforcement involves is devoting
4 part of MPI's road safety budget to supporting law
5 enforcement efforts to catch drivers who are
6 committing offences?

7 MR. WARD KEITH: Well, that's the
8 outcome. But, you know, it's not the -- the -- it's
9 not the -- necessarily the way in which we measure the
10 effectiveness. And what I mean by that is that
11 really, for us, this is -- this is about raising
12 awareness about the dangers and consequences of these
13 behaviours.

14 And so based on our research, we are
15 satisfied that for education and awareness to be most
16 effective, it has to be accompanied by visible
17 enforcement. And likewise, for enforcement to be
18 effective, it has to be highly publicized. And so we
19 do work with law enforcement, where if we have key
20 road safety issues that, in addition to, and to
21 complement our education and awareness -- our public
22 awareness campaigns, we do provide funding to enhanced
23 enforcement during those campaign periods.

24 And what it does is it helps to raise
25 awareness about the issue from public perspective. It

1 does help to -- I mean, law enforcement on our
2 roadways is the greatest disincentive to driving in a
3 high risk manner. But -- but we are very specific in
4 terms of -- of our enhanced enforcement efforts to
5 make sure that it is complementing the public
6 awareness initiatives that we are driving as part of
7 our mandate.

8 MS. KATHLEEN MCCANDLESS: Okay. Thank
9 you. If we scroll down the page of the executive
10 summary, we see key highlights from enhanced
11 enforcement programming.

12 And that included 1 million -- roughly
13 \$1 million in total funding provided to all enhanced
14 enforcement programs?

15 MR. WARD KEITH: Yes.

16 MS. KATHLEEN MCCANDLESS: Okay. And
17 so maybe you could just clarify what that funding
18 envelope would include, then.

19 MR. WARD KEITH: So we -- we have very
20 specific initiatives that we provide enhanced
21 enforcement funding for. So we provide enhanced
22 enforcement funding for impaired driving, and this is
23 specifically during the period May to September or
24 October.

25 And really, it is about ensuring that

1 our -- our public awareness campaigns are supplemented
2 by visible enforcement, particularly on long weekends
3 and weekends during the summer months when there is a
4 lot of traffic on the highways.

5 We also provide enhanced enforcement in
6 -- for two (2) months of the year in April and July.
7 Subject to check, I believe it's in April and July to
8 support our awareness campaigns on distracted driving,
9 use of cell phones while driving, and texting while
10 driving, and we also provide enhanced enforcement
11 funding to support back-to-school safety. And so we
12 focus on pedestrian safety when kids are back to
13 school in September, and to -- and -- and that is both
14 within designated school zones and outside of those
15 school zones as well.

16 More recently, we've also provided some
17 funding to the RCMP for enforcement of impaired
18 driving on winter and ice roads in the northern part
19 of the province, and so that funding is provided
20 specifically to the RCMP.

21 This funding is not intended to replace
22 traditional police enforcement of the traffic laws on
23 our roadways. Our expectation is that their efforts
24 with respect to enforcement continue. This is very
25 specifically enhanced or elevated enforcement to

1 increase the visibility of law enforcement on the
2 roadways and, therefore, to increase in driver's minds
3 the -- the perceived likelihood of being apprehended
4 should they choose to participate in these illegal and
5 high risk behaviours.

6 MS. KATHLEEN MCCANDLESS: Thank you.
7 If we go to the last bullet on the page. It's -- it's
8 noted here that:

9 "Moving forward the Corporation
10 plans to continue to provide support
11 for current enhanced enforcement
12 programs, while increasing support
13 in key areas to reflect collision
14 trends, the planned legalization of
15 recreational cannabis, and the
16 continued concern over the increased
17 number of distracted driving
18 collisions."

19 Yes?

20 MR. WARD KEITH: Yes.

21 MS. KATHLEEN MCCANDLESS: So, Diana,
22 if we could please go to Appendix 13. Oh, pardon me.
23 Sorry. Same appendix just table 3 at page 11 of this
24 document. At the very bottom of the page there's a
25 table that shows RoadWatch historical activity summary

1 from 2010 to 2016; yes?

2 MR. WARD KEITH: Yes.

3 MS. KATHLEEN MCCANDLESS: And we see
4 that with respect to funding amounts it's increased
5 somewhat since 2010. For 2016 the funding amount was
6 six hundred and forty-eight thousand (648,000); yes?

7 MR. WARD KEITH: Yes.

8 MS. KATHLEEN MCCANDLESS: And if we
9 look to the far right column under "total offences",
10 and there were two thousand nine hundred and fifteen
11 (2,915) offences, I suppose, caught by law
12 enforcement?

13 MR. WARD KEITH: Yes.

14 MS. KATHLEEN MCCANDLESS: Thank you.

15 MR. WARD KEITH: I do want to be
16 clear, though, in we're -- when we're looking at this
17 data. This is the -- we do report on the offence
18 notices issued as a result of these efforts because it
19 is -- it is a metric that is important. And it's a
20 metric that's particularly important for the police.

21 But, as I say, this is not particularly
22 the driver of our reasoning for these programs. So
23 ideally if these programs are successful, we will see
24 declines in the number of offence notices issued
25 because people have gotten the message not to drive

1 impaired, not to be distracted while driving, or not -
2 - or not to speed.

3 MS. KATHLEEN MCCANDLESS: So then
4 following on that, when you see two thousand nine
5 hundred and fifteen (2,915) offences for 2016 that
6 looks to be the greatest number of offences from the
7 period from 2020 to -- 2010 to 2016. Does that cause
8 you concern?

9 MR. WARD KEITH: Sorry, I'm just
10 fumbling for my glasses. It -- it doesn't cause us
11 concern, particularly, and the reason is because as
12 part of our working with law enforcement on these
13 issues we are -- the -- the -- our -- our law
14 enforcement partners are becoming -- they're --
15 they're devoting more attention to how they execute
16 these roadside check stops.

17 And so, for example, to set up a
18 roadside checkstop on Main Street creates very high
19 visibility, but may not result in many offence notices
20 being issued. Rather, to do more targeted enforcement
21 where they set up a checkstop outside of a well-known
22 drinking establishment and check for drivers leaving
23 that establishment.

24 That will result in a higher number of
25 offence notices being issued. From our perspective,

1 both of those models provide what we need in terms of
2 raising awareness about the concerns and complementing
3 our -- our awareness efforts. But depending on the
4 strategies that law enforcement chooses to do it will
5 have an impact on the dollars. So I -- so I -- I
6 would not want to read that as a means of determining
7 that the programs are not successful.

8 MS. KATHLEEN MCCANDLESS: So just as I
9 would understand your evidence then, if we see to 2016
10 it looks as though that year had the greatest number
11 of enforcement hours over the period at nine thousand
12 four hundred and fifteen (9,415); yes?

13 MR. WARD KEITH: Yes.

14 MS. KATHLEEN MCCANDLESS: And it also
15 had the greatest number of checkstop locations at four
16 hundred and ninety-three (493); yes?

17 MR. WARD KEITH: Yes.

18 MS. KATHLEEN MCCANDLESS: So if I'm to
19 understand your evidence, then the greatest number of
20 total offences may just be related to the increased
21 number of enforcement hours and the more targeted
22 checkstop use?

23 MR. WARD KEITH: Yes.

24 MS. KATHLEEN MCCANDLESS: Thank you.
25 Now, Diana, could we please go to Appendix 13 of the

1 loss prevention section. And this is the road safety
2 financial breakdown by program area from 2016/'17 to
3 2019/'20. Shall I give you a minute to find your
4 glasses?

5

6 (BRIEF PAUSE)

7

8 MR. WARD KEITH: I didn't need
9 glasses last year. I'm sorry.

10 MS. KATHLEEN MCCANDLESS: So this
11 breaks down the road safety funding from a program
12 category perspective. And if we look down to item
13 number 5. That'll be on the next page. We see that
14 RoadWatch is separated out, and the -- the actual
15 amount for RoadWatch was 1.2 million in 2016/'17?

16 MR. WARD KEITH: Yes.

17 MS. KATHLEEN MCCANDLESS: Then we see
18 it increase in 2017/'18 to 1.3 million?

19 MR. WARD KEITH: Yes.

20 MS. KATHLEEN MCCANDLESS: Then the
21 budgeted amounts for RoadWatch declines in 2018/'19 to
22 \$1.1 million?

23 MR. WARD KEITH: Yes.

24 MS. KATHLEEN MCCANDLESS: And again,
25 2019/'20 it would be \$1.1 million approximately; yes?

1 MR. WARD KEITH: Yes.

2 MS. KATHLEEN MCCANDLESS: Recalling
3 that in the enhanced enforcement strategy there was a
4 reference to increasing enhanced enforcement, can you
5 explain the reduction in the budget for RoadWatch?

6 MR. WARD KEITH: Yes. Actually the --
7 the budget of \$1.1 million in '18/'19, '19/'20, is how
8 I would sort of categorize as closer to our normal
9 funding envelope for enhanced enforcement. And there
10 will be increases with respect to these -- these
11 additional -- these additional efforts.

12 What drove the budget increase in '16
13 and '17 -- I'm sorry, '16/'17 and '17/'18 was related
14 to a very specific initiative that we talked about
15 last year in terms of the high risk collision
16 intersections in the province. And this was the
17 initiative that involved putting up signage for
18 drivers to make them aware that they were approaching
19 the high collision intersection and that was
20 supplemented by enhanced enforcement that was specific
21 to that initiative.

22 So that was over the course of two (2)
23 years funding in the area of, I believe, it was five
24 hundred thousand dollars (\$500,000) that was devoted
25 specifically to that particular initiative that was

1 not budgeted for in '18/'19 and '19/'20. So we have
2 come back down to what I think you will see is -- is a
3 more -- is -- is a more regular sort of increase of
4 the funding over the years.

5 MS. KATHLEEN MCCANDLESS: Thank you.
6 Diana, can you please go to Appendix 4, page 19. And
7 this is a portion of the 2017/2020 Road Safety
8 Operational Plan.

9 And on pages 19 and 20 there are a
10 number of goals listed for MPI; yes?

11 MR. WARD KEITH: Yes.

12 MS. KATHLEEN MCCANDLESS: And we see
13 goal number 1 being "implement approved initiatives"
14 on the right-hand side of the graphic there are top
15 three (3) priorities: distracted driving, speed, and
16 impaired driving?

17 MR. WARD KEITH: Yes.

18 MS. KATHLEEN MCCANDLESS: And when it
19 comes to drug impaired driving we have the drugs and
20 driving awareness campaign that you spoke about
21 earlier.

22 MR. WARD KEITH: Yes.

23 MS. KATHLEEN MCCANDLESS: And that's
24 identified there. So this is a drug impaired driving
25 strategy, specifically; yes?

1 MR. WARD KEITH: Yes.

2 MS. KATHLEEN MCCANDLESS: So where
3 does alcohol impaired driving fit into the programming
4 envelope for MPI going forward?

5 MR. WARD KEITH: Well, it will
6 continue to be part of the programming moving forward.
7 This is just a new campaign that is more specifically
8 focused on drug impaired driving in lead up to the
9 legalization of cannabis. But no changes are being
10 made, no scaling back is being contemplated with
11 respect to our efforts around impaired driving by
12 alcohol.

13 MS. KATHLEEN MCCANDLESS: Thank you.
14 And we heard your evidence this morning and it's also
15 in the filing about the incidence of -- or the
16 presence of drugs in the volunteers on the roadside
17 survey, and that being 10 percent of all participants
18 were -- had the presence of some drug in their system;
19 yes?

20 MR. WARD KEITH: That's right. There
21 were a total of twelve hundred and thirty (1,230)
22 drivers who participated in the survey, and of those,
23 I believe the number was a hundred and twenty-four
24 (124) drivers. So one (1) in ten (10) of those
25 drivers had some -- some drug in their system at the

1 time of testing.

2 MS. KATHLEEN MCCANDLESS: And this
3 drugs and driving awareness campaign then arose out of
4 the findings in that survey?

5 MR. WARD KEITH: I -- I wouldn't say
6 it arose out of it. I would say that it certainly was
7 -- was -- the importance of it was driven by it. This
8 -- the drug and -- and driving awareness survey was
9 primarily, as I said, to use this next year to prepare
10 for the legalization of cannabis. The results of the
11 survey certainly validated the importance of creating
12 a campaign of this nature, and so it certainly
13 supplemented it. But -- and -- and collectively that
14 -- that was one (1) of the drivers of the campaign.

15 MS. KATHLEEN MCCANDLESS: Thank you.
16 You also mentioned that MPI had looked to the
17 experience of Washington and Colorado for information
18 and statistics as to the incidence of the presence of
19 cannabis in driver's systems after the legalization of
20 marijuana; yes?

21 MR. WARD KEITH: Yes.

22 MS. KATHLEEN MCCANDLESS: Okay. Did
23 MPI look to the experience in those jurisdictions with
24 respect to effective measures to prevent or deal with
25 the higher levels of -- the increased levels of

1 cannabis in driver's systems? So not -- not only on -
2 - on the statistical side as to how many drivers were
3 actually -- had the presence of cannabis in their
4 systems, but what those jurisdictions did to have done
5 to address the issue?

6 MR. WARD KEITH: Well, we didn't look
7 specifically at what their programming was. We were
8 more interested in what the outcomes were with respect
9 to collisions and fatalities, and the incidence of
10 drug impaired driving. Anecdotally and, you know, on
11 a -- on a rudimentary basis I -- we do believe part of
12 the concern with legalization in the Washington and
13 Colorado is that there was not a lot of attention
14 given to the impact -- the potential impact on
15 impaired driving rates when legalization was created.

16 There was not a lot of -- of public
17 awareness around the -- the extent to which cannabis
18 consumption can impair driving. And there was not a
19 lot of control around the concentration of TSC that
20 would be permitted in cannabis. And that's part of
21 the challenge with cannabis compared to alcohol, for
22 example, is that the -- the speed at which cannabis
23 can be metabolized by the body is not simply driven by
24 the gender of the individual or the size of the
25 individual. It can vary -- vary depending on how --

1 whether it's an experienced cannabis user, whether
2 it's a medical cannabis user, or whether it's a first
3 time inexperienced cannabis user.

4 And so the -- the science behind at
5 what point -- at -- at what point is the level of TSC
6 and THC in the body sufficient enough to impair
7 driving ability is not nearly as mature as is the case
8 with alcohol. And so these jurisdictions that went
9 out ahead and early in terms of legalizing cannabis, I
10 just don't know that they had the science to create
11 effective education and awareness campaigns to educate
12 their drivers.

13 MS. KATHLEEN MCCANDLESS: Thank you.
14 Is there any intention to look at what those
15 jurisdictions will be doing with respect to addressing
16 the issue of drug impaired driving?

17 MR. WARD KEITH: Yes, absolutely. Not
18 just those jurisdictions either. There are additional
19 US states that are now preparing to legalize
20 marijuana. There are countries where legalization of
21 marijuana has occurred.

22 And so we think that with our
23 relationship, not just through the provincial road
24 safety committee in Manitoba, but also through our
25 relationship with the American Association of Motor

1 Vehicle Administrators in the US and the Canadian
2 Council of Motor Transport Administrators, that we are
3 going to be in a position to learn more about what are
4 the effective strategies that can be used to prevent
5 our -- our numbers in Manitoba from increasing similar
6 to what happened in other jurisdictions.

7 But again, our role is one (1) part of
8 a much larger -- larger construct. So education and
9 awareness is important, but what the province chooses
10 to do with respect to legislation around cannabis
11 impaired driving and administrative sanctions at
12 roadside with respect to cannabis impaired driving,
13 what the federal government ultimately decides to do
14 with respect to creating offences in -- under the
15 Criminal Code of Canada.

16 And -- and then once those
17 countermeasures are put in place, the extent to which
18 law enforcement in -- in Manitoba is able to address
19 this issue and has the tools and the training they
20 need to address the issue of roadside. All of that
21 needs to be factored into -- into a strategy to deal
22 with this issue.

23 MS. KATHLEEN MCCANDLESS: Thank you.
24 What will MPI do to measure, ultimately, the effect --
25 effectiveness of the drugs and driving awareness

1 campaign?

2 MR. WARD KEITH: So our intent is to
3 continue our regular polling with respect to many of
4 the campaigns that we do today, where we reach out to
5 Manitobans to measure the reach of our campaigns and
6 measure whether or not those campaigns have been
7 effective in delivering the message, and whether they
8 been effective in changing behaviour as reported by
9 the drivers.

10 We would also plan to do a subsequent
11 roadside survey, but those have -- those date -- dates
12 -- those details have not been established at this
13 point. But part of the reason for doing the survey in
14 2016 was exactly to create a baseline measure against
15 which the effectiveness of future road safety
16 programming could be -- could be measured. And so we
17 now have that baseline.

18 And what we would envision is that once
19 cannabis is legalized, once our public awareness
20 campaign has matured, once we've fully coop -- in --
21 introduced this through the Driver Ed Program and new
22 young drivers are released to unsupervised driving
23 that we would be in a position to redo this survey and
24 see if there's any meaningful change in the level of
25 drug prevalence among drivers.

1 MS. KATHLEEN MCCANDLESS: And I
2 understand that the next roadside survey would not
3 take place till sometime in 2019. Is that right?

4 MR. WARD KEITH: That's what we're --
5 that's what we're anticipating. Again, we have not
6 locked down the details, but -- but we -- we do want
7 to provide time for the education and awareness
8 campaigns to -- to kick in.

9 We do need to provide time for
10 governments to create legislation and for law
11 enforcement to begin enforcing that legislation. And
12 so that -- that timeline seems reasonable to us in
13 terms of going back out into the field and measuring
14 the prevalence of drug at that time.

15 MS. KATHLEEN MCCANDLESS: And you also
16 mentioned public polling. Is that going to wait till
17 2019, or can that be done sooner?

18 MR. WARD KEITH: Oh, no, that will be
19 done. We will be inserting that into our public
20 polling very shortly, and then we'll continue to
21 measure that on an ongoing basis.

22 MS. KATHLEEN MCCANDLESS: And that's
23 your quarterly public polling?

24 MR. WARD KEITH: Yes. Yeah.

25 MS. KATHLEEN MCCANDLESS: Thank you.

1 We heard your evidence this morning about the Driver X
2 virtual reality technology. And that's to -- that
3 will address at the top three (3) driver behaviour
4 issues; yes? Speed, impaired driving, and distracted
5 driving?

6 MR. WARD KEITH: Impaired driving by
7 drugs, yes.

8 MS. KATHLEEN MCCANDLESS: What
9 research or consultation did MPI do into the
10 effectiveness of this type of a measure before
11 embarking on the initiative?

12 MR. WARD KEITH: Well, the -- the
13 initiatives that we try -- I'm sorry the -- the road
14 safety issues that we are trying to address through
15 this campaign come from our priority setting
16 frameworks and come from our priority setting process.
17 So that's why distracted driving impairment and speed
18 were specifically identified and targeted for real-
19 life scenarios within these -- within these virtual
20 campaigns.

21 No formal research -- I'm sorry, no
22 formal focus groups were done with respect to the
23 effectiveness of virtual reality. We have conducted
24 literature reviews that identified what are the --
25 what are the -- the best ways to land messaging with

1 young people.

2 And what our evidence is indicating is
3 that, you know, the traditional methods of
4 communicating through newspapers and television and
5 radio are simply not effective because these
6 particular demographic does not get their information
7 from those sources. So that has led us to moving more
8 into the social media platforms, so that we can deal
9 with this young demographic in the manner in which
10 they are used to be -- being dealt with.

11 And with respect to the use of virtual
12 reality it was -- it was more an issue of looking at
13 what are the means that we can use to resonate with
14 young people in a way that will hold their interest,
15 and so even simulations and computer-based programs.
16 We were concerned that those no longer hold the
17 interest of our young people.

18 And so we looked for what is new
19 technology that is already established, but yet not so
20 grounded in the mainstream that -- that kids will
21 dismiss it as being something they've already done
22 before. And when we looked at it from that
23 perspective what we identified was virtual reality.
24 So that's what led us to pursuing that particular --
25 that particular channel.

1 MS. KATHLEEN MCCANDLESS: Thank you.
2 How does the Corporation intend to calculate the
3 return on investment for the virtual rate reality
4 initiative?

5 MR. WARD KEITH: Well, as with a
6 number of our road safety programs it -- it can be
7 very difficult sometimes to measure return on
8 investment from a dollars and cents perspective.
9 Ideally, what we would like to see is that kids who go
10 through the virtual reality experience will become
11 safer, better drivers; will be more likely not to
12 drive impaired or drive distracted.

13 Ideally, we would see that in terms of
14 reduced number of convictions, in terms of reduced
15 number of collisions involving these contributing
16 factors within this demographic. But again, it is
17 sometimes very difficult to draw those direct
18 correlations between our education and awareness
19 efforts and the ultimate outcomes.

20 So as with other road safety campaigns,
21 we intend to measure our effectiveness here based on
22 the extent to which the messaging has been received,
23 the extent to which young people tell us that it has
24 made a -- a difference and influence their driving
25 behaviour. And as with a number of these awareness

1 campaigns, you know, that -- that is the way that we
2 measure the effectiveness.

3 MS. KATHLEEN MCCANDLESS: Thank you.
4 Diana, can you please go to page 37 of the loss
5 prevention section of the filing. This relates to the
6 efforts with respect to distracted driving. At the
7 bottom of page 37 we see that:

8 "Recommendations through an internal
9 evaluation of MPI's portfolio on
10 targeting distracted driving
11 included modification and
12 enhancement of its approach to
13 research and program development in
14 activities in 2017/'18 and beyond."

15 Yes?

16 MR. WARD KEITH: Yes.

17 MS. KATHLEEN MCCANDLESS: And then we
18 see there are four (4) bullets about those activities,
19 so we have:

20 "New efforts in data collection to
21 ensure distracted driving collisions
22 are reported and recorded
23 accurately."

24 The second bullet is:

25 "Support for tougher legislative

1 countermeasures to combat the use of
2 electronic communication devices
3 while driving and more intense,
4 frequent and sustained law
5 enforcement."

6 With respect to the second bullet what
7 does -- what is MPI's role within that context?

8 MR. WARD KEITH: Well, MPI's role
9 within that particular context is to make
10 recommendation and to leverage the data that we have,
11 the research that we've created, and -- and leave that
12 to the legislators to determine how they may wish to -
13 - how they may wish to toughen the legislative
14 countermeasures.

15 What we can offer government, who
16 ultimately is responsible for legislation, is where
17 other jurisdictions are moving with respect to
18 legislative countermeasures around distracted driving.
19 So we do see other jurisdictions. In Manitoba --
20 maybe I can just back up.

21 In Manitoba if someone is found to be
22 using a handheld device while driving there's a fine
23 associated with that. That conviction then comes
24 through to Manitoba Public Insurance and that affects
25 their placement on the driver safety rating scale.

1 When it was first introduced as an
2 offence, I believe it was in 2010, the impact on the
3 driver safety rating scale was the driver would fall
4 two (2) levels on that scale. That has an impact on
5 the insurance premium they pay on their driver
6 license, as well as their entitlement to premium
7 discounts on their vehicle. That was subsequently
8 amended by government to five (5) drops -- levels on
9 the driver safety rating scale.

10 Other provinces are looking at other
11 initiatives. Vehicle impoundment is considered in
12 some provinces. So if you have a driver who is found
13 to be texting while driving. Not only would there be
14 an offence notice issued, which would result in a fine
15 on conviction and potentially demerits on the
16 insurance, but it would also result in impoundment of
17 the vehicle for a period of time. Other jurisdictions
18 are looking at immediate roadside suspension as a
19 potential countermeasure, so that for a period of time
20 the driver will be able to drive. And that may be
21 with or without a conviction at roadside.

22 So there are a number of initiatives
23 that other jurisdictions are looking at with respect
24 to toughening the countermeasures. The -- another
25 obvious one may be increasing the fine amount. In

1 Manitoba it's just over two hundred dollars (\$200) for
2 a fine. You know, our -- our concern with that, quite
3 frankly, is that particularly for people who are --
4 who work for a living out of their vehicles or who
5 regularly use their vehicles for work that at two
6 hundred dollars (\$200) our concern is that -- that the
7 drivers may just consider that a cost of doing
8 business. And of course it -- it's much more than the
9 two hundred dollar (\$200) fine. It's the risk that
10 they're presenting to themselves and others.

11 So these are the things that other
12 jurisdictions are looking at that we are working
13 through the provincial road safety committee to make
14 government aware of, so that should government choose
15 to -- to enhance their -- their legislation around
16 impaired driving that they would have the information
17 they need to make those decisions.

18 MS. KATHLEEN MCCANDLESS: Thank you.
19 If we could just scroll to the top of the next page.
20 We see the other two (2) recommendations. So:

21 "Expansion and improvement of
22 education and awareness efforts on a
23 broader range of driver distractions
24 that may have not been the focus in
25 the past."

1 Can you just explain what MPI is
2 looking at in that regard?

3 MR. WARD KEITH: I can give you a
4 couple of examples. One (1) is specific education and
5 awareness targeted towards parents. The concern is
6 that when young people are in the vehicle, one (1) of
7 the reasons parents give their -- their children or
8 support their children's having smart phones is so
9 that they can be in regular contact with them.

10 And the concern is that if they are in
11 regular contact by way of texting with their kids, and
12 their kids are driving at the time, that that adds to
13 the concern not helps it. And so the messaging is
14 around going to parents about having conversations
15 with their kids about texting and driving, obviously,
16 but also not contributing to that -- to that concern
17 by themselves being the dissenters of those text.

18 Another example is with respect to
19 commercial drivers. Commercial drivers, as well as
20 people who -- who require driving as a part of -- of
21 their -- of their business. And -- that's the sort of
22 work that we're doing in conjunction with the Manitoba
23 Trucking Association and with Safe Work Manitoba, to
24 get the message out around that it's not -- just
25 because you have a call coming in or a text coming in

1 that's business-related it's not okay to answer that.
2 If you're behind the wheel.

3 MS. KATHLEEN MCCANDLESS: Thank you.
4 And lastly, with respect to the exploration of device
5 and vehicle technology solutions, can you just explain
6 what MPI is looking at my regard?

7 MR. WARD KEITH: Yes, I can. And --
8 and this is a little bit of a frustrating element, to
9 tell you the truth, because there is absolutely
10 technology, call blocking, text blocking technology
11 that is available today. The challenge that we have
12 is that it has to be downloaded as an app to the
13 phone. And if you've got drivers who have no interest
14 in having their smart phone interrupted while they're
15 driving, then it's hard to convince them to download
16 the app to do that for them.

17 There -- there is the potential that
18 smart phone manufacturers can build this kind of
19 technology directly into the phones, and it can be
20 based on GPS technology, and it can also be based on
21 technology that monitors the speed of the vehicle, so
22 that once a vehicle hits, say 10 kilometres an hour,
23 the texting function, the cell phone function would be
24 disabled. There has not been a lot of support from --
25 from smart phone manufacturers for that. And I think

1 the reason I believe the reason is because they know
2 it's not what their -- it's not with their consumers
3 want.

4 And so this is a very challenging
5 dilemma at the moment, is that there is technology
6 available, but it requires voluntary use in most
7 cases. And so it does go back to changing the
8 behaviour and the attitudes of the drivers.

9 MS. KATHLEEN MCCANDLESS: Thank you.
10 Mr. Chair, I am afraid I was overly optimistic. I'm
11 probably another fifteen (15), twenty (20) minutes, I
12 would think, with Mr. Keith.

13 THE CHAIRPERSON: Sorry, you have
14 another fifteen (15), twenty (20) minutes?

15 MS. KATHLEEN MCCANDLESS: Likely.

16 THE CHAIRPERSON: Okay. We'll --
17 we'll break till ten (10) after 11:00.

18 MS. KATHLEEN MCCANDLESS: Thank you.

19 THE CHAIRPERSON: Thank you.

20

21 --- Upon recessing at 10:52 a.m.

22 --- Upon resuming at 11:13 a.m.

23

24 THE CHAIRPERSON: Okay, Ms.

25 McCandless...?

1 MS. KATHLEEN MCCANDLESS: Thank you. I
2 believe that Ghikas has a --

3 MR. MATTHEW GHIKAS: Yeah, so --

4 MS. KATHLEEN MCCANDLESS: point to
5 raise.

6 MR. MATTHEW GHIKAS: Thank -- thank
7 you, Mr. Chairman, Ms. McCandless. So over -- over
8 the break, Mr. Keith approached me and he says that he
9 thinks that there was a misunderstanding about the
10 graphs that were in -- brought up and discussed
11 regarding the -- the -- the graphs on LP Page 33, and
12 I'm hoping that, Diana, you can bring that up again,
13 and Mr. Keith can perhaps explain what the issue is.

14 MR. WARD KEITH: Thank you very much.
15 In reality over the break I put my glasses on, so, I
16 won't let that happen again. But I just wanted to
17 clarify when we were speaking about fatalities
18 resulting from impairment versus fatalities resulting
19 from distracted and speed.

20 I just wanted to clarify these
21 dashboards because if we look at the -- the dashboard
22 with respect to impairment in 2015, the blue
23 represents the fatalities in proportion to all
24 collisions that had impaired driving as a contributing
25 factor.

1 So, the proportion of fatalities
2 resulting from impaired driving as a proportion of all
3 impaired driving is higher than the others. But, in
4 answer to I think what your question was, if I
5 understood it right, we would have to go back to page
6 30, please.

7 And this provides a comparison of the
8 fatalities and serious injuries and property damage
9 collisions in comparison to the contributing factors.
10 So this is why you can see when you look at the -- at
11 distracted driving, the proportion is higher, both
12 with resp -- with respect to fatalities, serious
13 injuries and property damage collisions.

14 So -- so that is what drives to keep
15 the -- the -- the key priority in '17 and '18 being
16 distracted driving.

17

18 CONTINUED BY MS. KATHLEEN MCCANDLESS:

19 MS. KATHLEEN MCCANDLESS: Thank you
20 for that. Just a couple questions with respect to
21 cannabis and cannabis levels in drivers, is MPI
22 looking at investing or is it investing in any
23 technology or devices that law enforcement can use on
24 the roadside to detect levels of cannabis in a
25 driver's system?

1 MR. WARD KEITH: We haven't identified
2 that as an area that we would fund at this time. We
3 do know that there's significant work going on at the
4 national level and here within Manitoba.

5 The challenge with the -- with, again,
6 cannabis-impaired driving is that the science is so
7 new that there is not yet an approved roadside
8 screening device for cannabis. And so there are
9 devices that are currently being tested by police
10 agencies across Canada through the Canadian
11 Association of Chiefs of Police, but there is nothing
12 as -- as -- as defined as the current alcohol
13 screening device that's used for alcohol at the
14 roadside.

15 So, a lot of work going on to continue
16 to research these devices and to continue to be
17 satisfied that they're calibr -- they will be
18 calibrated properly and reflective of the level of THC
19 in a body but, at this point, I'm not aware that law
20 enforcement here is contemplating using those devices.
21 And we've not been approached or contemplated funding
22 them.

23 MS. KATHLEEN MCCANDLESS: Thank you.
24 Now with respect to demerits on the driver safety
25 rating scale is there a specific demerit generic point

1 value to an offence involving drug impaired driving,
2 as compared to alcohol impaired driving, or are they
3 both combined into the same number of demerits?

4 MR. WARD KEITH: So today, the
5 legislation is such that it is impairment by drugs or
6 alcohol. And so there's no differentiation there
7 between roadside suspensions -- sorry, roadside
8 administrative action that occurs again at the
9 roadside, that results in a drop of five (5) levels on
10 the driver safety rating scale. And then a subsequent
11 conviction for impaired driving, would result in a
12 drop of ten (10) demerits on the driver safety rating
13 scale.

14 As -- as the federal legislation, the
15 Criminal Code, there is legislation in front of the
16 Federal Parliament at this time. It's going through
17 committee that will -- will create new drug offences
18 specifically for cannabis in the Criminal Code of
19 Canada and once those are established in the Criminal
20 Code, then the province will need to look at: Do they
21 need corresponding offences in the Highway Traffic Act
22 and should that be the case, then we would amend the
23 driver safety rating program to reflect movement as a
24 result of those convictions as well.

25 At this point, though, it's just too

1 early to make those changes because they haven't
2 landed on what the offensives will be.

3 MS. KATHLEEN MCCANDLESS: Thank you.
4 Diana, can you please pull up Appendix 14 from the
5 Loss Prevention Section of the filing.

6 Now, this report was prepared in
7 response to Board Order 10.25 from Order 162/16, and
8 that required the Corporation to provide the Board
9 with an analysis of the road safety budgets of SGI and
10 ICBC, including the specific mandate of those
11 insurers, their annual road safety budgets and budget
12 breakdown by initiative; yes?

13 MR. WARD KEITH: Yes.

14 MS. KATHLEEN MCCANDLESS: And if we
15 jump ahead to page 7 of this report and scroll down.
16 This is a summary of the comparison of the road safety
17 budgets and the major initiatives contained therein;
18 yes?

19 MR. WARD KEITH: Yes.

20 MS. KATHLEEN MCCANDLESS: And we know
21 from earlier in the report but I -- I won't take you
22 to it that SGI includes infrastructure in its road
23 safety budget: yes? It's overall budget.

24 MR. WARD KEITH: SGI, as well as ICBC.

25 MS. KATHLEEN MCCANDLESS: And so the

1 infrastructure component of those road safety
2 initiatives has been removed from this analysis before
3 you; yes?

4 MR. WARD KEITH: That's right.

5 MS. KATHLEEN MCCANDLESS: Thank you.

6 With respect to enhanced enforcement in this table, we
7 see MPI for 2015/16, and as we saw in the budget as
8 well, devoted \$1.3 million to enhanced enforcement.
9 ICBC devoted \$24.9 million and SGI devoted \$900,000 to
10 enhanced enforcement.

11 With respect to ICBC significantly
12 higher budget on enhanced enforcement, I understand
13 that's due to how enhanced enforcement is budgeted
14 within the province of BC, is that right?

15 MR. WARD KEITH: That's right. My
16 understanding is in the province of BC that the
17 requirement for ICBC to fund enforcement is -- is a --
18 established at the provincial level and is established
19 as a percentage of the premiums taken. And in -- so
20 it's a very different model than in -- than in
21 Manitoba.

22 So in effect, ICBC based on the
23 premiums driven provides a funding envelope, which is
24 provided to the Solicitor General's office in -- in
25 BC. And then the Solicitor General's office

1 determines how that funding is to be utilized for
2 traffic enforcement within the province.

3 Our model is very different in that we
4 provide funding for specific enhanced enforcement
5 initiatives that are directly correlated to our
6 education and awareness campaigns.

7 MS. KATHLEEN MCCANDLESS: Thank you.
8 We also see from this table that ICBC has no funds
9 directed towards driver education programs.

10 Can you explain what the reason would
11 be for that? Are you aware?

12 MR. WARD KEITH: What I can tell you
13 is that they do not fund a -- a High School Driver
14 Education Program similar to as we do in Manitoba.
15 And in the province of Saskatchewan, they do fund a
16 Driver Education Program. But again, it's a slightly
17 different model.

18 So, within Manitoba, we administer the
19 entire program including recruiting of the commercial
20 instructors, including deliver of -- delivery of a
21 standard in-class and in-vehicle curriculum. And so,
22 it's very controlled and it is, although it --
23 although it is administered through the high schools
24 in the province.

25 In the province of Saskatchewan, it is

1 a function of the education system. And so S -- SGI
2 does not have the same level of control over the
3 curriculum, or over the administration of the program.
4 They provide funding to -- to support the program,
5 which is ad -- which is administered in effect,
6 independently of SGI. And in ICBC, there is no such
7 funding of no -- of any such program.

8 MS. KATHLEEN MCCANDLESS: Are you able
9 to explain the -- then -- it may revert back to what
10 you were just speaking about, but respect to the
11 discrepancy in the budget, and driver education
12 programs between MPI and SGI --

13 MR. WARD KEITH: I'm listening, sorry.

14 MS. KATHLEEN MCCANDLESS: There is
15 about a \$4 million discrepancy there between MPI and
16 SGI, with SGI spending about \$4 million more.

17 Do you have any information as to why
18 that's the case?

19 MR. WARD KEITH: No, we don't have any
20 further information on why there's that difference. I
21 can speculate that it may be because there's not the
22 same cost benefit that comes from administering the
23 entire program from start to end, but that would be
24 speculation on my part.

25 MS. KATHLEEN MCCANDLESS: And with

1 respect to auto theft we see that SGI does not have
2 any budget line for that initiative as well.

3 Are you able to explain why that would
4 be the case?

5 MR. WARD KEITH: Well, they don't have
6 an auto theft prevention strategy like Manitoba did.
7 Manitoba does. And you may recall from several years
8 ago that Manitoba, and particularly the city of
9 Winnipeg, had a very specific and significant concern
10 with respect to auto theft. Manitoba and the city of
11 Winnipeg led the rest of the country in terms of the
12 number of vehicles being stolen on a proportional
13 basis. So, this was an issue specific to Manitoba.
14 That was of significant concern to Manitoba at the
15 time.

16 So, initiatives were created, the Auto
17 Theft Prevention initiatives, which were involved in
18 funding of the Winnipeg Auto Theft Suppression
19 strategy. And then the government chose to introduce
20 a mandatory immobilizer program for most at-risk
21 vehicles in this province as a condition of
22 registration or renewal of registration. And so MPI
23 provided funding for that program as well. Nothing
24 similar was established in -- in Saskatchewan.

25 MS. KATHLEEN MCCANDLESS: Thank you,

1 Diana, can you please go to MPI Exhibit Number 12.
2 And Page 41. And there are two (2) sides at Page 41
3 and 42, that deal with PUB-Order-10.35 and 10.36 from
4 Order 162/16.

5 The first is with respect to 10.35, in
6 which the Board ordered that MPI study the use of
7 fencing to prevent wildlife collis -- collisions,
8 including discussion with other jurisdictions that
9 employ wildlife collision management plans, and in a
10 2018 GRA provide a report on its further study of
11 wildlife collision management plans.

12 And then if we jump ahead to forty-two
13 (42) Order 10.36 was: Work with the CMMG on a proposal
14 for a pilot involving the use of fencing in order to
15 study its effectiveness in reducing wildlife
16 collisions.

17 And you would acknowledge that the
18 Corporation did not comply with either 10.35 or 10.36;
19 yes?

20 MR. WARD KEITH: We didn't comply in
21 terms of providing a new analysis or working directly
22 with the CMMG on a strategy around fencing. And that
23 was because previous reports have been provided to the
24 Public Utilities Board and were re-tabled this year.
25 The most recent of which was completed in April 2016.

1 So we felt, based on the -- the conduct of those
2 reports in the past that we had at least by spirit
3 complied with the Order, and -- and re-tabled those
4 reports for consideration by the Board.

5 MS. KATHLEEN MCCANDLESS: And that was
6 with respect to 10.35, and we see that -- that those
7 previous wildlife reports were included in the
8 appendices to the filing this year; yes?

9 MR. WARD KEITH: Yes.

10 MS. KATHLEEN MCCANDLESS: And with
11 respect to 10.36, the first bullet there refers to
12 legislative authority in Section 6(2)(h) of the MPIC
13 act.

14 Can you just explain the -- why MPI
15 under that legislation would not be able to engage
16 with the -- CMMG on a pilot.

17 MR. WARD KEITH: Sure. I can speak to
18 the bo -- to both of those bullets, because I think
19 they are relevant.

20 The first is that even with respect to,
21 if we did have the authority to do infrastructure
22 work, that -- that we'd -- we were not convinced there
23 was a sufficient return on investment to do so, based
24 on the previous analysis that we'd done, and based on
25 experiences in other jurisdictions, particularly

1 experience in our -- in our next-door jurisdiction of
2 Saskatchewan. But that -- that all aside it -- it --
3 in -- it --the -- the Corporation does not have the
4 authority from the province of Manitoba to undertake
5 infrastructure work. And -- and we would view
6 wildlife -- building wildlife fences along the sides
7 of highways as being associated with roadway
8 infrastructure, which is not within our mandate, and
9 which we have no authority to provide funding for.

10 MS. KATHLEEN MCCANDLESS: What
11 wildlife initiative or wildlife collision prevention
12 init -- initiatives are in place right now through the
13 Corporation?

14 MR. WARD KEITH: So, right now we have
15 -- we use variable message boards. So, we do analysis
16 every year to identify where the collision hot spots
17 are involving wildlife. And so every year, what we
18 know is that wildlife is most active on the roadways
19 in the fall time, and so it's in October and November
20 and December when we do the majority of our awareness
21 campaigns related to -- related to wildlife.

22 Our awareness campaigns are really
23 twofold. So the first is that we do public awareness
24 around the regions of the province where interaction
25 with wildlife is most likely with motor vehicles, and

1 how to -- to be on the lookout for wildlife and how to
2 prevent or at least reduce the impact of being
3 involved in collision with -- with the wildlife.

4 The second is that we deploy variable
5 message boards throughout the province and in the city
6 of Winnipeg, where applicable, and what we do is we
7 use our hotspot data to determine the corridors where
8 it's most likely that there will be wildlife activity
9 on the roadways. And then we establish variable
10 message boards that warn drivers that they are in an
11 area and along a corridor where there is likely to be
12 wildlife on the roadway and to drive with caution.

13 And we find those particularly we -- we
14 -- we believe that those are very effective based on
15 our research in the wildlife studies. That tell us
16 that when you establish permanent signage it takes a
17 very, very short period of time for that to become
18 normalized with drivers. So the signage doesn't
19 matter anymore after a very short period of time.

20 By using variable message boards, so,
21 these are the -- the LED boards that get set up on the
22 roadway; that's a new sign that's up for a very short
23 period of time, and it tends to raise the awareness of
24 drivers much more than a sign that gets posted all
25 year long that just blends into the environment after

1 a very short period of time.

2 This year we are also doing work with
3 the Department of Conservation or now Sustainable
4 Development to try and redefine or -- or better define
5 the hot spots where collisions are likely to occur
6 with wildlife.

7 So, we do track where the collisions
8 occur and we do make very public, through news
9 releases and other awareness campaigns, the regions of
10 the province where collisions with wildlife are likely
11 to occur. But we would like to get more detail in
12 terms of where -- where exactly on particular highway
13 corridors the collisions are occurring. And this is -
14 - will be done through tracking of carcass -- I don't
15 have all the details, but tracking of the locations of
16 carcasses when they're retrieved by Sustainable
17 Development, or other municipal authorities. And
18 trying to dig a little deeper into what those hotspots
19 look like; that will feed future public awareness.

20 MS. KATHLEEN MCCANDLESS: Thank you.
21 Diana, can you please go to Appendix 13 of the LP
22 section of the filing, I'm just going to ask you some
23 more questions about the road safety budget breakdown.

24 If we go to the first page of the
25 budget, we see driver education being Item 1 there in

1 2016/'17 actual, the budgeted or the actual amount was
2 4.7 million dollars and in 2017/'18, it's \$5.2; yes?

3 MR. WARD KEITH: Yes.

4 MS. KATHLEEN MCCANDLESS: And if we
5 look to the 2016/'17 and 2017/'18 aspects of the
6 breakdown as a whole, just scrolling through Page 1
7 and Page 2, we see that driver education is the
8 largest proportion of the road safety budget; yes?

9 MR. WARD KEITH: Yes.

10 MS. KATHLEEN MCCANDLESS: And can you
11 explain first of all the significant increase from
12 2016/'17 in driver education to 2017/'18?

13

14 (BRIEF PAUSE)

15

16 MR. WARD KEITH: If we could take that
17 as an undertaking and give that back to you, that
18 would be useful.

19 MS. KATHLEEN MCCANDLESS: So that
20 would be to explain the reason for the increase in the
21 driver education budget for road safety from 2016/'17
22 to 2017/'18?

23 MR. WARD KEITH: Yes.

24

25 --- UNDERTAKING NO. 18: MPI to explain the reason

1 for the increase in the
2 driver education budget
3 for road safety from
4 2016/'17 to 2017/'18
5

6 CONTINUED BY MS. KATHLEEN MCCANDLESS:

7 MS. KATHLEEN MCCANDLESS: Thank you.

8 And we see that the next highest proportion of the
9 overall road safety budget is spent on road safety
10 advertising and community promotion at item 3; yes?

11 MR. WARD KEITH: Yes.

12 MS. KATHLEEN MCCANDLESS: Now, if we
13 go to the next page of the budget, where there's a
14 line item for surveys and program evaluations, do we
15 see that in front of you at line item 6?

16 MR. WARD KEITH: Yes.

17 MS. KATHLEEN MCCANDLESS: Okay. And
18 there is a very significant increase in the budget
19 allocated to surveys and program evaluations. When we
20 look from 2016/'17, we had a hundred and fifty-five
21 thousand dollars (\$155,000), 2017/'18, two hundred and
22 seventy-four thousand dollars (\$274,000), and then
23 there's a -- a very large jump from 20 -- in 2018/'19
24 projected to \$1 million. Do you see that?

25 MR. WARD KEITH: Yes.

1 MS. KATHLEEN MCCANDLESS: And is that
2 due to the expected increased survey activity after
3 the legalization of marijuana, or is there some other
4 reason for that significant increase?

5 MR. WARD KEITH: Yeah. It's not
6 related to the -- to the survey research that we would
7 look to do with legalization of marijuana. Really,
8 what this is is the -- it is a -- it is a accounting
9 entry that relates to amortization of the work that
10 was done on the High School Driver -- High School
11 Driver Education Program redevelopment.

12 So the work that has been done over the
13 last two (2) years, and the work that is continuing
14 this year and is to be concluded this year will start
15 to be amortized against this budget line starting in
16 2018/'19.

17 MS. KATHLEEN MCCANDLESS: Thank you.
18 If we go back to page 1, with respect to funding for
19 auto crime at line 2 -- we see that there?

20 MR. WARD KEITH: Yes.

21 MS. KATHLEEN MCCANDLESS: There's a
22 significant din -- decrease from 2016/'17 actual,
23 where there was \$2.1 million, or \$2.2 million spent,
24 down to \$1.9 million budgeted for 2017/'18; yes?

25 MR. WARD KEITH: I'm sorry, what --

1 what line are you in?

2 MS. KATHLEEN MCCANDLESS: Two (2), for
3 auto crime. You see from 2016/'17 actual?

4 MR. WARD KEITH: Yes.

5 MS. KATHLEEN MCCANDLESS: \$2.2
6 million?

7 MR. WARD KEITH: Yes.

8 MS. KATHLEEN MCCANDLESS: And then
9 2017/'18 budgeted is \$1.9 million; yes?

10 MR. WARD KEITH: Yes.

11 MS. KATHLEEN MCCANDLESS: And then it
12 decreases further in the -- the next two (2) years;
13 yes?

14 MR. WARD KEITH: Yes.

15 MS. KATHLEEN MCCANDLESS: And is that
16 due to the -- the funding with respect to the WATSS
17 program?

18 MR. WARD KEITH: It's about partially
19 that. Funding for WATSS has now been discontinued.
20 That, for many years, was supported by the Corporation
21 to the tune of between nine hundred (900) and \$1
22 million per year. That has now been concluded.

23 But what -- what you're seeing here in
24 terms of the ongoing debt reduction is ongoing --
25 ongoing reductions in the spending to support the

1 Immobilizer Program. So when 99 percent, I believe,
2 of most at risk vehicles in the city of Winnipeg are
3 now protected against theft -- these are older model
4 vehicles that were the subject of -- that were being
5 intentionally targeted by thieves.

6 And so one (1) of the ways to deal with
7 them was to install aftermarket immobilizers, which
8 basically prevent the vehicle from being stolen
9 without key or the key fob. And what we have done now
10 is we've been successful in immobilizing the majority
11 of those vehicles, but there are still a number of
12 most at risk vehicles, even the older model vehicles
13 that are continuing to be brought into the province.
14 And as they come into the province, they are still
15 required to be immobilized, because that legi -- that
16 regulation is still in place, so.

17 But what we're seeing is that, as --
18 because they're older model vehicles, these are now
19 starting to fall out of the fleet. We're starting to
20 see fewer and fewer of these vehicles brought into the
21 province every year, and so our spending on the
22 Immobilizer Incentive Program is decreasing.

23 MS. KATHLEEN MCCANDLESS: Thank you.
24 I'm now going to ask you some questions about the Road
25 Safety Plan. Diana, that's MPI Exhibit number 4.

1 And as you mentioned this morning, this
2 is the key deliverable at the Provincial Road Safety
3 Committee of which you are a co-chair; yes?

4 MR. WARD KEITH: Yes.

5 MS. KATHLEEN MCCANDLESS: What input,
6 if any, did you have into the actual creation of the
7 Road Safety Plan document itself?

8 MR. WARD KEITH: So I am a -- a co-
9 chair of this committee, along with the assistant
10 deputy Minister of Manitoba infrastructure, and I'm
11 also an active member of the Leadership Committee, and
12 the leadership committee is made up of representation
13 from MPI, from Infrastructure, from Justice, and from
14 Health, and from the Manitoba Association of Chiefs of
15 Police.

16 The major work on this -- of -- on this
17 action plan was done by the Technical Oversight
18 Committee, which reports to the Leadership Committee,
19 and has representation from the departments and the
20 agencies that I just spoke of, but also representation
21 from other groups -- other stakeholder groups
22 responsible for road safety. But I -- I, as co-chair
23 of the committee, had oversight into the overall
24 completion of the plan and submitting to government
25 for consideration.

1 MS. KATHLEEN MCCANDLESS: Thank you.
2 If we go to page 9 of the PDF, on the right-hand side
3 of the document here in the green, there's reference
4 to the Canadian Council of Motor Transport
5 Administrators' road safety strategy 2025; yes?

6 MR. WARD KEITH: Yes.

7 MS. KATHLEEN MCCANDLESS: And at the
8 bottom of that paragraph, it says:

9 "Manitoba's Road Safety Plan aligns
10 with Canada's RSS 2025, and supports
11 the safe systems approach to traffic
12 safety."

13 Can you just explain what that RRS 2025
14 involves?

15 MR. WARD KEITH: Sure. I -- I have --
16 prior to assuming this position, I was a member of the
17 Canadian Council of Motor Transport Administrators and
18 was on their board, and in the years leading up to
19 this and the previous campaign, was the chair of their
20 board.

21 The -- Canada has had a -- a per -- a
22 national road safety strategy since 2001. The first
23 was from 2001 to 2010, and then in 2010, Canada's road
24 safety strategy 2015 was introduced, which is a five-
25 year strategy, and that has now been replaced by the

1 one that is referenced here, which is Canada's road
2 safety strategy 2025.

3 This is a national -- a national plan
4 that is built very similar to the model that has been
5 used in the provincial plan, and as well as leveraged
6 by MPI in our road safety priority-setting frameworks.
7 And what I mean by that is that the national strategy
8 looks to identify priori -- key priorities that are
9 driving motor vehicle collisions across the country.
10 And where they have similarities across jurisdictions,
11 what we find is that impaired driving, distracted
12 driving, speed, non-use of occupant restraints, these
13 are road safety issues that are not unique to
14 Manitoba. They are issues that apply across
15 jurisdictions.

16 So the strategy is basically an
17 inventory of programs that have been researched and
18 identified as either proven to be effective or
19 promising that have been employed in other countries
20 and other jurisdictions, and particularly, some of the
21 countries where the road safety records are the best,
22 like in the northern countries in Europe and that sort
23 of thing.

24 And the -- the strategy is such that it
25 looks for overall downward trending in collisions,

1 fatalities, and serious injuries across Canada. It
2 looks to improve Canada's overall rating in relation
3 to other OECD countries in terms of their road safety
4 record. And it provides jurisdictions with an
5 inventory of -- of initiatives and programs that have
6 either proven to be effective or promising in other
7 jurisdictions that jurisdictions can use to -- to --in
8 their own -- can use to address their own road safety
9 priorities.

10 The whole national strategy is built
11 around the context of driving down to zero, and the
12 whole national strategy is built around the safe
13 systems concept which, again, recognizes the
14 interdependencies between drivers, vehicles, roads,
15 speeds, and other -- other contributors to the -- to
16 the road safety construct.

17 MS. KATHLEEN MCCANDLESS: Thank you.
18 Diana, can we go to page 11 of the PDF. There's a
19 reference under research and data collection on the
20 right-hand side of the page under priorities. And we
21 see the first two (2) bullets. The first is creating
22 a central repository of road safety related data
23 accessible to provincial and municipal stakeholders
24 and researchers.

25 The second is actually the one (1) I'd

1 like to ask you that, which is collaborate in research
2 projects, multi-partner funding agreements.

3 So does MPI intend to become involved
4 or collaborate with other stakeholders on research
5 projects going forward?

6 MR. WARD KEITH: There is no
7 specific commitment to do so. And we do have to
8 remember, when we're looking at this plan, that this
9 is a provincial plan. And so the priorities are as
10 articulated by all of the stakeholders involved. So
11 every priority will not necessarily need to include
12 MPI, although MPI would certainly be supportive of the
13 priorities as identified.

14 I would not want to rule out our
15 participation in research projects that might help to
16 better define the data and drive the data in Manitoba.
17 Part of this -- part of this priority comes from the
18 fact that while we believe our data is quite complete,
19 we have in the -- in these hearing contexts identified
20 that there are differences between the claims data
21 that is collected by MPI and reported by MPI, and the
22 traffic collision statistics data that is reported for
23 MPI on a national basis, because there are differences
24 in terms of what constitutes a fatality for reporting
25 purposes, whether or not we report fatalities

1 occurring on public roadways versus private roadways
2 or on private property, for example.

3 But what we've also found is there are
4 pockets of data, even within this province, that are
5 held by some of the stakeholders that would be of
6 interest to other stakeholders. A perfect example, I
7 think, is the data coming from the healthcare system,
8 so. And it relates to the broa -- again, from a
9 provincial perspective, it relates to the broader
10 issue of cycling safety in this province.

11 So we will get notification and data as
12 it relates to collisions involving cyclists and motor
13 vehicles. We may get that data. We won't get that
14 data if no claim is advanced by either the cyclist or
15 the vehicle owner. But what we find is that there are
16 lots of cycling incidents that may not involve a motor
17 vehicle, but nevertheless occur on a roadway. That
18 the -- that information is available through the
19 healthcare system, because those cyclists, if they're
20 injured, get treated at the hospital.

21 So what we've found is there -- there
22 are some -- there are some pockets where, you know, we
23 could do a better job at a provincial level of sharing
24 the information that we have, making sure that we
25 don't double count, making sure that there's not redun

1 -- that -- that we've built in the concerns around
2 redundancy of the data, but that's the whole Genesis
3 behind this particular priority.

4 MS. KATHLEEN MCCANDLESS: Thank you.
5 This morning in your presentation you mentioned the
6 collision statistics from 2016. And I -- I appreciate
7 that you -- you gave detailed evidence already about
8 the incidence of fatalities in 2016.

9 And believe it was a hundred and seven
10 (107) for 2016, which was a spike from previous years;
11 yes?

12 MR. WARD KEITH: Yes.

13 MS. KATHLEEN MCCANDLESS: I just want
14 to take you to the traffic collisions statistics
15 report for 2016, and that's MPI Exhibit Number 7. And
16 -- and this is collision data collected by MPI on an
17 annual basis. The traffic collision statistics
18 report.

19 MR. WARD KEITH: Oh, there it is.
20 It's data collected through two (2) different sources
21 actually. So it's data collected from our claims
22 reporting, and it's also data as reported to us by law
23 enforcement. So there are certain collisions that
24 police investigate or that drivers are obliged under
25 the Highway Traffic Act to report to the police. So

1 we will get those traffic accident reports, but we
2 also supplement that data with our own claims data
3 that's reported through our contact centre.

4 MS. KATHLEEN MCCANDLESS: Thank you.
5 Diana, can you go to page 5. And we see the
6 statistics that you spoke about this morning
7 referenced under traffic collisions. If we scroll
8 down a bit farther. We see under people killed and
9 injured in collisions there's that one hundred and
10 seven (107) figure there. And then under that there
11 were four hundred and seventy-eight (478) who were
12 seriously injured.

13 So -- and it says nearly 41 percent
14 more than in the previous five (5) years; yes?

15 MR. WARD KEITH: Yes.

16 MS. KATHLEEN MCCANDLESS: And so one
17 could assume that those serious injuries would be
18 among those that would be the highest in terms of
19 claims costs for MPI; yes? Serious injury collisions?

20 MR. WARD KEITH: We -- we could assume
21 that safely, I think, yes.

22 MS. KATHLEEN MCCANDLESS: And so what
23 information does the Corporation have about the
24 reasons behind the significant increase in not only --
25 or leaving aside the issue of fatalities, but the

1 increase in the number of serious injuries in 2016?

2 MR. WARD KEITH: Well, I think it's
3 safe to say that the difference -- but maybe I'll just
4 back up. Under the reporting for the traffic
5 collision statistics report a definition of a serious
6 injuries is where someone is admitted to hospital as a
7 result of injury from a motor vehicle collision on a
8 public roadway.

9 I think the difference between a
10 serious injury and a fatality is simply the -- the
11 extent to which the -- you know, the -- the victim
12 suffered as a result of the collision. So the -- the
13 movement between fatalities and serious injuries, you
14 know, varies from year to year.

15 So I think what we do have to look at
16 is on an overall basis, we see that the increase in --
17 in serious injuries, it is more proportionally than
18 the increase in fatalities. But overall it relates to
19 the increase in traffic collisions in 2016 and the
20 extent to which those collisions were serious
21 collisions which resulted in either serious injury or
22 fatality.

23 MS. KATHLEEN MCCANDLESS: So does MPI
24 have any information as to what the contributing
25 factors were to the increase?

1 MR. WARD KEITH: Well, so we have
2 looked at -- yes, absolutely. So we did -- if we can
3 just go to the next pla -- page, please.

4

5 (BRIEF PAUSE)

6

7 MR. WARD KEITH: Okay. That's not the
8 right page. I'll go by memory. So what we do know is
9 we -- we -- you know, based on the -- the analysis
10 that was done for 2016, we again look at contributing
11 factors.

12 So what we found is there -- there was
13 a significant increase in the number of collisions and
14 -- and fatal collisions involving impaired driving as
15 a contributing factor. There was an increase in the
16 number of speed -related collisions, and there was
17 actually a bit of a dip in terms of the number of
18 collisions and fatalities involving distracted
19 driving.

20 We have to be very careful though in
21 talking about those as stand alone contributing
22 factors, because often what we find is that in a motor
23 vehicle collision there may be three (3) or more
24 contributing factors. So you may have a driver who is
25 speeding who happens not to be wearing his seatbelt

1 and is texting on the phone as well. So if that
2 individual is involved in a collision, then that
3 collision would be counted as -- as a contributing
4 factor in all three (3) of those scenarios.

5 The report is very detailed though. It
6 also tracks human conditions contributing to
7 collisions. It -- it a tra - it -- it tracks
8 environmental conditions and vehicle conditions rel --
9 resulting -- contributing to con -- convictions,
10 sorry, collisions as well.

11 MS. KATHLEEN MCCANDLESS: Thank you.
12 Just lastly, Mr. Keith, with respect to Board Order
13 10.23, and if you need the reference it's at page 30
14 of MPI Exhibit 12. That was the order that MPI filed
15 a five (5) year strategic plan addressing road safety
16 programming.

17 MR. WARD KEITH: Yes.

18 MS. KATHLEEN MCCANDLESS: And so that
19 was not done; yes?

20 MR. WARD KEITH: What we did is we
21 filed our three (3) year operational plan with the
22 explanation that the three (3) year operational plan
23 is a continuous -- is a continuation of the previous
24 three (3) year operational plan that had been filed
25 with the Board. And the three (3) year plan is

1 developed for -- to -- to align to our corporate
2 strategic planning cycle. So we presented that and
3 filed that in response to that order.

4 MS. KATHLEEN MCCANDLESS: And is there
5 any intention for the Corporation to have some sort of
6 five (5) year strategic plan going forward?

7 MR. WARD KEITH: Our intent is to
8 retain the three (3) year operational plan and that's
9 for some important reasoning, I think. You know, we
10 are looking at, again, emerging issues with respect to
11 road safety. We want to be nimble in terms of the
12 priorities that we establish and the potential
13 programs that we introduce. We want to be nimble in
14 terms of evaluating our current programs for their
15 effectiveness. And all of that may impact from a
16 strategic perspective where we need to focus our
17 efforts.

18 So, by staying with a three (3) year
19 operational plan, not only does it align to our
20 corporate planning cycle, but it also gives us more
21 flexibility to address emerging issues on a more
22 timely basis. So we would plan to continue to three
23 (3) year cycle.

24 MS. KATHLEEN MCCANDLESS: Thank you.
25 Thank you, Mr. Keith. Those are my questions, Mr.

1 Chair.

2 MR. WARD KEITH: Thank you.

3 THE CHAIRPERSON: Thank you. I think
4 rather than starting cross-examination by any of the
5 intervenors, we'll adjourn until one o'clock. Okay.

6

7 --- Upon recessing at 11:52 a.m.

8 --- Upon resuming at 1:02 p.m.

9

10 THE CHAIRPERSON: Good afternoon, Mr.
11 Oakes...?

12 MR. RAYMOND OAKES: Thank you, Mr.
13 Chairman. Just before I start, I'd like to
14 acknowledge, if I can, the graciousness of my
15 colleague to the right, Mr. Williams, who is allowing
16 me to not only go first this afternoon, but apparently
17 tomorrow morning as well. It's good to know that he's
18 still grounded despite his rising prominence in the
19 highest court in the land.

20 THE CHAIRPERSON: Mr. Oakes, you mean
21 Dr. Williams.

22

23 CROSS-EXAMINATION BY MR. RAYMOND OAKES:

24 MR. RAYMOND OAKES: Yes. And Mr. Ward
25 -- Mr. Keith, I also have a couple of lumps of sugar

1 for you. I want to thank you for your direct evidence
2 this morning. We're very pleased to hear from someone
3 with the dedication, professionalism and competence
4 that you exhibit in these areas. It's, I think,
5 obvious to all those in the room and should be obvious
6 to all Manitobans. So thank you for that.

7 MR. WARD KEITH: Thank you.

8 MR. RAYMOND OAKES: And just
9 continuing on -- with a further lump of sugar,
10 although that confection may be limited as we proceed
11 this afternoon, I'd like to --

12 MR. WARD KEITH: I'll take what I can
13 get, Mr. Oakes.

14 MR. RAYMOND OAKES: -- to ask Diana to
15 bring up LP3.3, and I would like to speak to you about
16 the successes that MPI has in its engagement
17 activities with CMMG and we know that they're
18 successful engagement activities because that's the
19 heading of the LP chapter.

20 Moving to page 17, if you might, Diana.
21 You'll confirm, Mr. Keith, that the external
22 stakeholder committee on loss prevention includes two
23 (2) executive members of the CMMG, Mr. Doug Houghton
24 and Mr. Brian Segal; is that correct, sir?

25 MR. WARD KEITH: That's correct.

1 MR. RAYMOND OAKES: And just for the
2 record, those two (2) gentlemen have also indicated to
3 me that they hold your abilities in very high regard
4 in that committee.

5 MR. WARD KEITH: Thank you.

6 MR. RAYMOND OAKES: Now, you point to
7 a couple of initiatives that MPI is involved in with
8 CMMG. One (1) of them is the Motorcycle Safety
9 Awareness rally in the spring; is that correct, sir?

10 MR. WARD KEITH: Yes.

11 MR. RAYMOND OAKES: And you may not be
12 aware, although you've been with the Corporation that
13 about the same time that I've been practising law, but
14 the MLA Ride For Safety or the spring safety campaign
15 was actually a program that -- doing research in 1993
16 I took from the BC Motorcycle Coalition, and brought
17 to Manitoba. I don't know if you're aware of that.

18 MR. WARD KEITH: I wasn't aware of
19 that.

20 MR. RAYMOND OAKES: And likewise, when
21 it talks about MPI's message to look twice for
22 motorcycles, the origin of the Look Twice Safety
23 Campaign was the same. I had lifted that from the BC
24 Motorcycle Coalition in 1993 and brought that to
25 Manitoba.

1 Were you aware of that, sir?

2 MR. WARD KEITH: No, I wasn't.

3 MR. RAYMOND OAKES: Okay. In recent
4 years and I'm speaking about four (4) years ago, the
5 CMMG brought the initiative of hotspot mapping, and
6 asked the Corporation to begin doing that and bringing
7 that information to the Public Utility Board in these
8 GRAs.

9 Can you confirm that, sir?

10 MR. WARD KEITH: Yes, I can confirm
11 that.

12 MR. RAYMOND OAKES: So, Mr. Keith, we
13 have these initiatives that CMMG brings to MPI
14 regularly asking for adoption and assistance and
15 you'll acknowledge that as a volunteer board with
16 practically no budget, we're looking to the
17 Corporation that spends some set -- \$11 million
18 annually to reciprocate and bring new initiatives to
19 the motorcycle -- cycling experience.

20 MR. WARD KEITH: I'm sorry, was that a
21 question?

22 MR. RAYMOND OAKES: Yes, I'm looking
23 for you to confirm that that would be the expectation.

24 MR. WARD KEITH: I -- I don't know
25 what the expectation would be of your clients.

1 MR. RAYMOND OAKES: Do you think it's
2 more reasonable that MPI with a budget for road safety
3 of \$11 million would be the one bringing new
4 initiatives to the table?

5 MR. WARD KEITH: I think we do it in
6 collaboration with our stakeholders, including your
7 client.

8 MR. RAYMOND OAKES: So one (1) of
9 those collaborations would be the gearing up twenty-
10 one (21) hour safety program that the materials that
11 indicates has been a success as well.

12 Is that correct, sir?

13 MR. WARD KEITH: Yes.

14 MR. RAYMOND OAKES: However, we
15 haven't had the same experience with the experienced
16 rider program of MPI's; is that correct, sir?

17 MR. WARD KEITH: That's right. There
18 hasn't been the take-up on that course.

19 MR. RAYMOND OAKES: And that's dealt
20 with at page 18 of the materials at the top of the
21 page. It was created in 2013 and to -- in response to
22 a request by the CMMG.

23 So again, it is the CMMG coming to MPI;
24 is that correct, sir?

25 MR. WARD KEITH: Yes.

1 MR. RAYMOND OAKES: And the conclusion
2 is that the program has only generated enough interest
3 to run one (1) time with a total registration of nine
4 (9) people. CMMG has asked that MPI provide that
5 program with a hundred percent subsidy on successful
6 completion; is that correct, sir?

7 MR. WARD KEITH: I -- I would have to
8 make that subject to check whether that request has
9 actually been made in that format.

10 MR. RAYMOND OAKES: Okay. I think
11 I've made it to you in previous GRAs; is that correct,
12 sir?

13 MR. WARD KEITH: We've talked about
14 whether or not the course could or should be
15 subsidized.

16 MR. RAYMOND OAKES: And MPI is not
17 willing to do a trial pilot program with full subsidy
18 to see what the uptake would be; is that correct, sir?

19 MR. WARD KEITH: That's correct, in
20 that we work with the CMMG and other stakeholders on
21 these sorts of campaigns. And, you know, the extent
22 to which CMMG brings forward solu -- initiatives
23 versus MPI, I think that's the beautiful thing about
24 the collaboration between the stakeholders.

25 So where we do see that there is value

1 in it, then we will take it and we will run with it
2 and we will fund it as required.

3 With the Gearing Up Program, that is
4 related primarily to the fact that in Manitoba to get
5 a motorcycle license there's a mandatory training
6 component that -- the concern with that program from
7 our perspective is that on a legislative basis,
8 there's only an eight (8) hour requirement and -- and
9 I think your client, and we agree, that that's not
10 sufficient for complete sort of training to operate a
11 motorcycle.

12 So our support of the -- the twenty-one
13 (21) hour training program is an opportunity to create
14 price equity between the eight (8) hour program that's
15 offered on a mandatory basis and the twenty-one (21)
16 hour program. We have not extended that to the ex --
17 to the experienced rider program. Although, to your
18 point, with the suggestion of your clients, we did
19 work directly with Safety Services and encouraged them
20 to create that program. They did so, lifting
21 information from the Canada Safety Council and made it
22 available to which there was no interest.

23 MR. RAYMOND OAKES: Has the
24 Corporation determined if there would be interest with
25 a full subsidy on successful completion?

1 MR. WARD KEITH: We've not explored
2 that because we have not put on the table the -- we
3 have not contemplated subsidizing this program to a
4 hundred percent or anything less than that.

5 MR. RAYMOND OAKES: If I could ask
6 Diana to go to page 23 of the LP Loss Prevention
7 section. And I want to speak about the issue that was
8 examined at length this morning about the -- the
9 experience that has occurred in 2016.

10 And if I could just read in, they start
11 paragraph 1 it says,

12 "Despite an increase in road fa --
13 fatalities in 2016, progress on this
14 front continues to be demonstrated
15 by an overall downward trend in
16 actual motor vehicle fatalities and
17 fatal collisions, as well as
18 declines in rate base measures..."
19 et cetera.

20 And then it goes on to congratulate the
21 Corporation. It says:

22 Downward trending in motor vehicle
23 fatalities and fatal collisions have
24 been achieved over this period
25 despite continuous growth in the

1 number of licensed drivers..." et
2 cetera.

3 Now, in making those statements. The
4 Corporation must have had the 2016 information which
5 indicates quite a different scenario.

6 Can you respond to that?

7 MR. WARD KEITH: Yes, I can respond.
8 First of all, I would like to clarify that when I
9 spoke about the fatality statistics this morning, I
10 was intentionally specific in not wanting people to
11 draw conclusions that I was somehow satisfied that the
12 changes that we saw in 2017 would correct the concerns
13 that we saw in 2016. Because I think we all agree in
14 this room that even one (1) fatality is one (1)
15 fatality too many.

16 What we were providing in this document
17 is a summary of the overall downward trending up to
18 and including 2015. And it is very clear in this
19 document that 2016 was an exception, and then that was
20 subsequently addressed in the testimony today.

21 I also just want to clarify that none
22 of the information in this particular chapter or this
23 particular page is intended to be self-congratulatory
24 to MPI. This is something that we track on an overall
25 basis for the province of Manitoba. And as I

1 explained this morning, when it comes to road safety,
2 and more particularly road safety initiatives that try
3 and change driver behaviour, that is a collaborative
4 effort between many stakeholders.

5 So I extend congratulations to all
6 those who played a role in -- in -- in continuing to
7 create this downward trending, which fortunately we
8 have seen resume in 2017 to date.

9 MR. RAYMOND OAKES: Just before we
10 addressed your last comment to -- if we can stay with
11 the representations in the GRA and I direct your
12 attention to figure LP 2 and LP 3 on the following
13 pages 24 and 25.

14 Would you agree with me that this
15 depiction of a straight line decrease in both figures
16 misrepresents the experience of 2016?

17 MR. WARD KEITH: Well, I would qualify
18 that as a trend line, and that's the intention of a
19 trendline. So I don't think it's misrepresentative.
20 We've not not disclosed the actual number of
21 fatalities or serious injuries per year. This is the
22 trendline that results from those figures.

23 MR. RAYMOND OAKES: This morning you
24 gave us a reference to the fact that you have
25 preliminary info -- figures for 2017. And you pointed

1 to a 23 percent reduction in fatalities over and above
2 2016.

3 But given that fatalities in 2016 were
4 a 37 percent increase, that's hardly a trend going
5 down. It still results in more fatalities in 2017
6 than in the previous years; isn't that correct?

7 MR. WARD KEITH: Well, two (2) things,
8 number 1, it is still preliminary data; and number 2,
9 it is only data from the first seven (7) months of the
10 year, compared to preliminary data from the seven (7)
11 months of the previous year.

12 So, we can't compare the total
13 fatalities that occurred in 2016 to the preliminary
14 data in 2017. Also what I did put on the record this
15 morning is that not only have we seen a significant
16 decrease in fatal collisions and serious injuries and
17 fatalities in 2017 compared to the same seven (7)
18 months last year, but we are also seeing a decline
19 compared to the previous five-year average as well.

20 So that's what gives us some -- some --
21 some -- think of the right word, some hope perhaps
22 that what we're seeing so far in the first seven (7)
23 months of the fis -- of this calendar year will
24 continue through the rest of the year, and that we'll,
25 once again, get on our track downward towards zero.

1 MR. RAYMOND OAKES: Now, Mr. Keith, at
2 the time that the GRA materials were written, would
3 the Corporation have been in re -- in receipt of the
4 traffic collision statistics report, which is MPI
5 Exhibit 7?

6 MR. WARD KEITH: No, that was
7 finalized in August, and then subject to review by the
8 Minister of Infrastructure before being publicly
9 released.

10 MR. RAYMOND OAKES: I kne -- I
11 understand the concept of publicly released but did
12 you have that report in a draft form the time that
13 this was written?

14 MR. WARD KEITH: I did not personally
15 have the report in a draft form but we have previously
16 reported on preliminary fatalities for 2016, and that
17 -- so we did that outside of the publication of the
18 formal traffic collision statistics report.

19 MR. RAYMOND OAKES: And that's the
20 origin of your information about the road fatalities
21 in 2016?

22 MR. WARD KEITH: The traffic collision
23 statistics report?

24 MR. RAYMOND OAKES: No, the other
25 document or the other information that you just --

1 MR. WARD KEITH: Yes, exactly,
2 exactly. Similar to how I provided preliminary data
3 for 2017 based on what we've seen so far. We did have
4 an indication of preliminary data for 2016.

5 MR. RAYMOND OAKES: Would you agree
6 with me that there's quite a different impression left
7 with the reader after reading the -- page 23 comments
8 that -- read into the record vis-a-vis the comments in
9 the 2016 traffic collision statistics report?

10 MR. WARD KEITH: I -- I'm not sure
11 what you mean, Mr. Oakes. I -- I don't think there is
12 a -- I don't think there's a discrepancy in that
13 information. We just now have the formal traffic
14 collision statistics report for 2016 that we're able
15 to put into the record.

16 MR. RAYMOND OAKES: All right. Well,
17 let's refer to that if I can. Diana, if you could go
18 to Roman Numerals III of the 2016 Traffic Collision
19 Statistics Report. And more down the page it starts
20 with:

21 "Overall traffic collisions in
22 Manitoba in 2016 increased compared
23 to 2015 and to the previous five-
24 year 2011 to 2015 annual coverage."

25 If you compare that to the statements

1 from the LP materials that we read which said:

2 "progress on this front continues to
3 be demonstrated by an overall
4 downward trend in actual motor
5 vehicle fatalities and collisions,"

6 Would you not -- not see a discrepancy
7 in those two (2) pieces of information?

8 MR. WARD KEITH: No because that was
9 based on data up to 2015. And there's a preceding
10 statement that says that it was despite increases in -
11 - in collision -- in fatalities and col -- fatal
12 collisions in 2016.

13 MR. RAYMOND OAKES: Okay, well, I'm
14 not gonna -- I'm going to move to another area. This
15 is another area where claim costs have risen
16 dramatically, and that's the issue of wildlife
17 collisions. And if Diana, if we could look at CMMG
18 IR-1-10 and figure 1 in that interrogatory.

19 In -- we've seen, and this table, in
20 Figure 1 demonstrates that there's been an increase,
21 pretty much each year in the costs of collisions
22 Manitobans with wildlife crashes. The -- it used to
23 be a \$30 million problem, roughly; and in the last
24 year between 2014 and 2015, it spiked from 37 million
25 to almost 48 million. Do you see that, sir?

1 MR. WARD KEITH: Yes.

2 MR. RAYMOND OAKES: So the increase is
3 approximately 15 -- it's \$10 million in any event. Is
4 that correct?

5 MR. WARD KEITH: Just over 10 million,
6 yes.

7 MR. RAYMOND OAKES: And we've been
8 back and through this issue time and time again in
9 these hearings. And really at the end of the day, the
10 position of MPI seems to be, apart from a few message
11 boards inside Winnipeg, it seems to be that they're
12 going to -- MPI is going to wait until technology in
13 the cars comes along that deals with this problem.
14 I'm sure you wouldn't agree with that.

15 MR. WARD KEITH: Well, there's no
16 question that wildlife crashes are a concern, and
17 there's no question that wildlife crashes are costing
18 the insurance pool a significant amount of money each
19 year. Part of that increase in the collision severity
20 relates to the vehicles involved in these collisions
21 and the technology associated with those vehicles.

22 But, more importantly, I think we do
23 recognize there is an issue here, but as per our
24 frameworks and as per our requirement to -- and the
25 expectation that we be prudent in terms of how we

1 spend ratepayer dollars, we -- we do need to look at
2 strategies that we believe are cost-effective and
3 have, or will have a significant return on investment.

4 And so when it comes to wildlife
5 collisions, there are certainly some interventions
6 that are infrastructure related, and for the areas
7 where those infrastructure treatments are located can
8 have a significant impact in terms of reducing the
9 collisions along those corridors; but that they do
10 not, overall, bring down the cost of collisions in any
11 other areas of the province where those specific
12 interventions are not at play.

13 So that's why we do believe the best --
14 the most effective means at this point is to continue
15 to raise awareness of the issue, to continue to
16 identify the hot spots where collisions with wildlife
17 are most noted and use variable message boards to
18 raise awareness for the drivers in those corridors.
19 And continue to work through the Canadian Council of
20 Motor Transport Administrators to encourage auto
21 manufacturers to advance their -- the introduction of
22 their technologies that will eventually deal with this
23 issue.

24 MR. RAYMOND OAKES: At \$48 million,
25 Mr. Keith, the losses attributable to wildlife

1 collisions are getting close to the cost of distracted
2 driving which, in CMMG-1-12, MPI s -- says is costing
3 Manitobans roughly 69.4 million to 92.4 million.

4 Do you see that if this continues we're
5 going to be approaching the \$70 million mark?

6 MR. WARD KEITH: I can't speculate on
7 where wildlife collisions will go or whether they will
8 go to that sort of severity prior to technologies
9 being employed that can reduce these -- these
10 incidents, these conflicts between wildlife and motor
11 vehicles.

12 But -- but -- but we do believe that
13 there are solutions that are pending that will help to
14 significantly reduce these occurrences. It doesn't
15 mean they're not a serious concern. There are many,
16 many factors that feed into the wildlife collision
17 issue, not the least of which is the size of the
18 population of wildlife and the extent to which there
19 are other factors that can be leveraged to try and
20 reduce those -- the -- the size of that population and
21 the extent to which it interferes with -- with motor
22 vehicle traffic on roadways.

23 But at this point, it is really, we
24 believe, in -- in our best interest and most cost-
25 effective to -- to continue to support the advances in

1 technology that will deal with these issues in take
2 the risk out of the equation.

3 MR. RAYMOND OAKES: Now, when you tell
4 us that there are solutions coming, are you referring
5 to non-MPI generated solutions?

6 MR. WARD KEITH: Yes, and I think
7 that's what, you know, for something for -- for -- for
8 a road safety issues such as this, I do believe that
9 there are broader solutions that are required
10 ultimately to address this issue. We do know, for
11 example, that in some of the luxury model vehicles
12 there are already technologies that are in the market;
13 infrared technologies and radar technologies that are
14 taking it a step further.

15 In terms of being able to go beyond
16 simply keeping safe distances and automatic braking
17 when you come up behind a vehicle, these are
18 technologies that can and will identify non -- non-
19 vehicle movement, whether it be wildlife, domestic
20 life or pedestrians on the sides of the roadways. And
21 the vehicles will be able to counteract any
22 interactions with those things. We're seeing it in
23 luxury models, and we expect -- we are advised that by
24 the end of 2018 or certainly into 2019, that this
25 technology will become mainstream, starting with

1 Toyota and then with other mainstream automakers to
2 follow.

3 MR. RAYMOND OAKES: Given that the
4 cost of these collisions is approaching the lower
5 levels of the distracted driving, can you speak to the
6 amount of money that MPI is spending on wildlife
7 collision initiatives compared to what it spends for
8 distracted driving initiative?

9 MR. WARD KEITH: Well, the challenge
10 with this particular issue, and I -- you know, it
11 really does feed to the overall frameworks that we
12 have put in place for road safety. That, you know, it
13 -- the -- the incident of wildlife collisions, the
14 cost of wildlife collisions certainly identify it as a
15 priority, as it comes, as it relates to claims costs
16 and -- and injuries and -- and social costs.

17 But the flipside of that is, if we are
18 going to spend money investing in strategies we need
19 to have a comfort level for the -- for the sake of our
20 ratepayers that those strategies will be effective.
21 And we just have not found cost-effective solutions
22 that will help to reduce the overall cost of wildlife
23 collisions across the province.

24 MR. RAYMOND OAKES: The only new
25 initiative in this area, Mr. Keith, that I can find a

1 reference to is some media inside the DRIVR-X
2 experience, is that correct?

3

4 (BRIEF PAUSE)

5

6 MR. WARD KEITH: So, Mr. Oakes, you
7 are correct, we have built a scenario into the virtual
8 reality experience, but that's not the extent of our
9 work in this area. So as I put on the record this
10 morning, we are expanding our use of variable message
11 boards. I know that perhaps your clients don't
12 believe that's a very effective or a very generous
13 measure when dealing with wildlife collisions, but, we
14 do believe they are effective in raising awareness at
15 the point where we -- where our data shows that --
16 that c -- that interaction with wildlife is -- is most
17 likely.

18 And I also put on the record this
19 morning that we're working with the Department of
20 Sustainable Development to do deeper data analysis
21 into the locations of these -- of these -- of these
22 interactions.

23 MR. RAYMOND OAKES: And of course, my
24 question related to new initiatives and both of the
25 two (2) programs that you s -- s -- have spoken of are

1 existing programs. You've done that kind of work
2 before; is that correct?

3 MR. WARD KEITH: Well, we've done the
4 hotspot analysis based on our claims' data. We have
5 not worked with the Department of Sustainable
6 Development on use of GPS technology or use of data to
7 specifically pinpoint where wildlife is being killed
8 on collision -- on highways; so that is -- that is new
9 research that's being conducted to try and build the
10 data set.

11 MR. RAYMOND OAKES: And just back to
12 the DRIVR-X for a second, how many people have the
13 play that videogame or had that experience?

14 MR. WARD KEITH: I -- I -- I believe
15 in my -- my direct presentation this morning I spoke
16 to the exposure that people have had to the DRIVR-X --
17 the DRIVR-X initiative. I don't have that information
18 with me this afternoon though, however.

19 MR. RAYMOND OAKES: Okay. If, just by
20 way of undertaking, because I'm going to ask you for
21 another one (1). Just by way of undertaking if you
22 can confirm the number of people that have had the
23 DRIVR-X experience in the machine.

24 And by way of a second undertaking, I'd
25 ask that you provide a comparison of the amount of

1 money that MPI is spending on wildlife collision
2 initiatives compared to distracted driving initiatives
3 and efforts. Would you provide that, sir?

4 MR. WARD KEITH: Yes, we can take that
5 as an undertaking.

6 MR. RAYMOND OAKES: Thank you.

7

8 --- UNDERTAKING NO. 19: MPI to confirm the number
9 of people that have had
10 the DRIVR-X experience in
11 the machine.

12

13 --- UNDERTAKING NO. 20: MPI to provide a
14 comparison of the amount
15 of money that MPI is
16 spending on wildlife
17 collision initiatives
18 compared to distracted
19 driving initiatives and
20 efforts.

21

22 CONTINUED BY MR. RAYMOND OAKES:

23 MR. RAYMOND OAKES: Now, I notice the
24 DRIVR-X game -- I'm not sure how to refer to it, is
25 car-based. There certainly isn't a motorcycle model;

1 is that correct, sir?

2 MR. WARD KEITH: That's correct.

3 MR. RAYMOND OAKES: And there's only
4 one (1) of those machines?

5 MR. WARD KEITH: No, there's three (3)
6 of those machines.

7 MR. RAYMOND OAKES: All right.

8 MR. WARD KEITH: And it's the virtual
9 reality experience.

10 MR. RAYMOND OAKES: I see.

11 Now, My Learned Friend this morning,
12 cross-examined -- in the -- concerning the issues of
13 PUB Order -- specifically, the provisions of 10.35 and
14 10.36 and the Corporation indicated that they are
15 statutorily prohibited from investing in
16 infrastructure. Is that correct, sir?

17 MR. STEVE SCARFONE: Yes, Mr. Oakes,
18 that was Mr. Keith's evidence, that we don't think
19 that falls within our jurisdiction.

20 MR. RAYMOND OAKES: Right.

21 MR. STEVE SCARFONE: Under the MPIC
22 Act.

23 MR. RAYMOND OAKES: So just continuing
24 as to the Corporation's understanding of the effect of
25 that limitation, the Corporation is saying they can

1 pay over \$1 million to have police cars at the side of
2 the road, but you can't put up a fence; is that
3 correct?

4 MR. STEVE SCARFONE: Well, as I
5 explained this morning, the reason that we find
6 enhanced enforcement is because it directly supports
7 our public awareness initiatives, which is tied
8 directly to our mandate.

9

10 CONTINUED BY MR. RAYMOND OAKES:

11 MR. RAYMOND OAKES: And, similarly,
12 you can have -- pay to have signs installed at high-
13 collision intersections, but you can't put up a fence;
14 is that correct, sir?

15 MR. WARD KEITH: Well, again, that
16 relates to our education and awareness initiatives,
17 and those signs were installed by the city of
18 Winnipeg, not by Manitoba Public Insurance.

19 MR. RAYMOND OAKES: And you can put
20 the variable message boards on Roblin and Taylor, but
21 you can't put up a fence; is that correct, sir?

22 MR. WARD KEITH: Yes. And again, the
23 variable message boards are placed with the support of
24 the City of Winnipeg, and Manitoba infrastructure.
25 Those are the organizations that are responsible for

1 roadway infrastructure in Winnipeg and in the
2 province.

3 MR. RAYMOND OAKES: Going to move from
4 the area of wildlife collisions to collision mapping
5 in the hot maps that we talked about a little earlier.
6 And, Diana, if you could bring up Page 53 of the loss
7 prevention materials, please. And the paragraph I'm
8 looking for is at Line 4, and it reads:

9 "As in past years, the maps
10 demonstrate that an elevated risk
11 for injuries and deaths of
12 vulnerable road users is not
13 identifiable within specific
14 hotspots; rather, these incidents
15 occur with a high degree of
16 randomness throughout urban
17 environments."

18 And if we can go back to Page 52 for a
19 second and just -- if we scroll down a little more.
20 We have a pilot program to examine the effectiveness
21 of high-collision intersection safety to heighten
22 awareness about collision arrests and the need to
23 proceed through these intersections cautiously.

24 So, Mr. Keith, I wonder can you explain
25 how you can have high collision intersections if

1 they're not identifiable, with specific --
2 intersections?

3 MR. WARD KEITH: Well, I think we're
4 referring to two (2) different variables. So when it
5 comes to the high collision intersections, there are
6 thousands and thousands of collisions every year and a
7 big -- a large number of those occur in Winnipeg.

8 So what we are able to do is track the
9 locations of those collisions by intersection and
10 that's what identified for us, the five (5) highest
11 collision intersections in the province. Those are
12 vehicle-to-vehicle collisions and the scope of -- of
13 those collisions is in the range of several thousand
14 incidents per year.

15 The reference to vulnerable road users,
16 whether it be pedestrians or cyclists, relates to the
17 ability to track trending with respect to locations
18 for pedestrian collisions involving motor vehicles or
19 cycling collisions involving motor vehicles. And when
20 we look at that much smaller subset of population and
21 much smaller subset of collisions, we are unable to
22 identify any significant trending that would help us
23 to identify any particular intersections where any
24 kind of -- of -- of intersection improvement or
25 intervention would -- would be -- would -- would be

1 targeted.

2 MR. RAYMOND OAKES: I'm trying to
3 understand that. If you have five (5) intersections
4 that are, in your words, "have several thousand
5 collisions at each one," how can they not involve
6 motorcyclists, pedestrians and bicyclists?

7 MR. WARD KEITH: Well, they -- they
8 may involve motorcyclists, pedestrians and cyclists
9 but if they do, then those would be tracked as part of
10 our data as well.

11 And I can tell you that when we do the
12 analysis of -- of locations of -- of pedestrian or
13 cyclist collisions that there is not nearly the same
14 proportion of collisions at those intersections or any
15 other intersections. It's much more randomly spread
16 at intersections throughout the city.

17 MR. RAYMOND OAKES: The materials
18 indicate that there's a two-year pilot program report
19 due in 2008 (sic).

20 Do you have any information that you
21 can give by way of initial observations to-date?

22 MR. WARD KEITH: Nothing that would be
23 conclusive, I don't think. We have seen some
24 reduction in the collisions at these intersections,
25 but they are not sustainable, in terms of we've not

1 seen a regular downward movement of collisions at
2 these intersections over this period of time. We have
3 been -- we have seen a positive correlation at
4 intersections where there is police enforcement that
5 is likely not to be unexpected, but of course, the
6 challenge is that that is not a sustainable model
7 moving forward.

8 So, the purpose of this in --
9 intersection pilot was to test whether or not simple
10 signage would help to raise awareness and control, the
11 collisions at these intersections. And it's just --
12 it's not possible for me at this point to, to make any
13 -- draw any conclusions to put on the record about the
14 success of that initiative.

15 MR. RAYMOND OAKES: It seems from what
16 you've just told us, though, that it looks like a dim
17 prospect for the vulnerable road user in terms of that
18 initiative, because you've told us that they're random
19 and there's really nothing you could do at
20 intersections to help with the frequency or severity
21 of collisions.

22 MR. WARD KEITH: No. I -- I -- if
23 that's how I was interpreted, I certainly didn't mean
24 to be. If there are -- if -- if we have positive
25 results from this pilot, and if there are reductions

1 in pedestrian, or cyclist, other vulnerable road user
2 collisions at these intersections, then that would be
3 positive. I just can't say at this point whether or
4 not we've seen any of those reductions.

5 If we are able to raise awareness about
6 the dangers of collisions at -- occurring at these
7 intersections, and drivers as a result are more
8 cautious as they approach the intersection and as they
9 proceed through the intersection, then I would -- I
10 would anticipate that there would be a positive impact
11 to cyclists and pedestrians who may also be attempting
12 to cross, or dri -- or ride on -- on streets at those
13 intersections. But I just don't have the data at this
14 point to make any conclusive -- to put any conclusive
15 evidence on the record.

16 MR. RAYMOND OAKES: Well, we'll look
17 forward to hearing from you hopefully next year on
18 that.

19 MR. WARD KEITH: Yes.

20 MR. RAYMOND OAKES: Diana, if we could
21 look at page 6 of LP. And I'm only going there for
22 one brief line, then, it's the first one:

23 "The vast majority of collisions on
24 Manitoba roads can be prevented."

25 Given that statement, Mr. Keith, the

1 CMMG wonders why more isn't done. We have a
2 motorcycle budget for road safety of less than a
3 quarter of a million dollars. It seems to be
4 flatlining some years.

5 The budget isn't even fully spent. Why
6 isn't more done?

7 MR. RAYMOND OAKES: Well, I -- this is
8 a statement that I think everyone in this room
9 believes to be true. I -- we do know that the
10 majority of collisions, not just in Manitoba but in
11 other jurisdictions outside Manitoba, at the end of
12 the day result from user behaviour decisions.

13 And what I mean by that is drivers
14 making poor decisions, pedestrians perhaps crossing
15 the street, cyclists riding against the rules of the
16 road. People on the road tend to make poor decisions,
17 and that tends to create collisions. When you combine
18 that with high-risk driving behaviour, that adds to
19 the -- the -- the risk of a collision occurring.
20 These are collisions that if -- that -- that generally
21 and typically can be prevented.

22 In terms of what MPI is doing to
23 achieve this, I think we have to again go back to the
24 fact that MPI is one (1) player in a much larger
25 construct, and that we are now an active part of the

1 Provincial Road Safety Committee. And it is at that
2 level that we believe with all the jurisdictional
3 representatives at the table that we can address
4 priorities at the jurisdictional level and make
5 further improvements.

6 I -- I, again, would comment on the --
7 your concern about the budget for motorcycle safety,
8 because I -- I think it is misleading to suggest that
9 by looking strictly at the budget for motorcycle
10 safety programs, that that is the extent of our road
11 safety efforts aimed at helping to keep motorcyclists
12 safe on the road.

13 All of our initiatives related to
14 distracted driving, related to speed, and related to
15 impaired driving apply equally to motorcyclists as
16 they do all other road users. And in speaking with
17 your clients directly through the external committee
18 on loss prevention, I am aware that the CMMG has
19 significant -- significant concerns with the issue of
20 distracted driving.

21 Their concern, and I -- I fully support
22 their concern, is that -- is that they are often not
23 seen by road use -- by drivers on the road, because
24 they're not as big as a car. And -- and so that is
25 what leads to a lot of interaction between

1 motorcyclists and colli -- and -- and vehicles. And
2 that when you've got a driver who is distracted from
3 driving because they're texting, or they're talking on
4 the phone, or doing something else that's taking away
5 their concentration from driving, that that only
6 elevates the risk to motorcyclists. And the
7 motorcyclists are absolutely right in that
8 perspective.

9 So when you look for comparisons
10 between what we spend on wildlife in motorcycle safety
11 and distracted driving. I really do believe that our
12 efforts on an overall basis benefit the motorcyclists
13 of this province as they do vehicle owners and vehicle
14 drivers.

15 MR. RAYMOND OAKES: Okay. Well, we're
16 going to look in a second about the overall program.
17 But just getting back to that first sentence:

18 "The vast majority of collisions in
19 Manitoba roads can be pre --
20 prevented."

21 If we insert the word 'wildlife
22 collisions on Manitoba roads,' is that statement still
23 true?

24 MR. WARD KEITH: I -- I'm not sure I
25 can comment on that at the moment.

1 MR. RAYMOND OAKES: All right. Moving
2 to page 9, if you can, Diana, please.

3 It talks about -- and that very first
4 line again:

5 "Loss prevention programs have been
6 grouped into three (3) areas, driver
7 safety programs, vehicular programs,
8 and loss reduction programs."

9 Wondering in that if that's three (3)
10 areas, and the first is driver safety programs, is it
11 semantics or a bias of the Corporation? It doesn't
12 say "driver and rider safety programs." It just says
13 "driver."

14 Was there an intent to exclude
15 motorcyclists from one (1) of the three (3) areas?

16 MR. WARD KEITH: No, and they should
17 be considered within that first category.

18 MR. RAYMOND OAKES: All right. So the
19 concern that we have, and I am approaching this area
20 delicately because it may be that the answer is, We're
21 still in a seminal parts of the MPI's approach to road
22 safety, and the CMMG, and other Intervenors, and the
23 public just have to be more patient. But what we're
24 seeing is, frankly, a lot of sizzle but not a lot at
25 steak.

1 We're seeing comments about structure,
2 some sexy things like the virtual-reality little
3 games. We're seeing some other sexy things about
4 dashboard projects and tableau software, but we're not
5 seeing the initiatives coming forward. And that's
6 been the focus of what I've been asking about this
7 afternoon.

8 Can you give us any comfort that
9 perhaps the framework was the important thing to be
10 built upon or built up, and later, that will pay off
11 in benefits in actual initiatives and in actual
12 collision reduction?

13 MR. WARD KEITH: Well, I think this is
14 an iterative process, quite frankly. So, you know, to
15 your point, the -- the first step is to develop the
16 frameworks and to flesh those frameworks out. That is
17 being done.

18 The data dashboards are not sexy in my
19 view. They are critical to making informed decisions
20 when it comes to loss prevention and road safety. So
21 I'm very pleased with the effort that's been made and
22 the progress that's been made in terms of mining that
23 data, aggregating it, and reporting it in a way that
24 has meaningful -- meaningful input for our program
25 managers.

1 The -- the outcome of that as it
2 relates to our road safety frameworks I think speaks
3 for itself within those frameworks. We have -- we
4 have said in the past and again say this year that
5 it's really the frameworks that formalize our
6 activities around road safety. And that relates to
7 our research, to our priority setting, to our program
8 development, and to our program evaluation.

9 This is not a case, Mr. Oakes, of when
10 it comes to motorcyclists, not being willing or
11 prepared to introduce new initiatives that we believe
12 will enhance motorcycle safety. It has to do with how
13 effective those campaigns would be, how effective
14 those initiatives would be, and whether there is a
15 reasonable return on investment.

16 MR. RAYMOND OAKES: So you -- you
17 would disagree with my characterization about no
18 steak, all sizzle?

19 MR. WARD KEITH: Yes.

20 MR. RAYMOND OAKES: Okay. Page 80 of
21 LP-7 has a description of -- of where MPI is going,
22 and I'm going to read it for the record, and hopefully
23 others will understand it better than I:

24 "The path forward under the loss
25 prevention strategy becomes

1 illuminated through new and enhanced
2 data analytics that help to identify
3 and isolate existing and emerging
4 opportunities to refine or enhance
5 existing programs and/or create new
6 strategic interventions that have
7 the potential to change behaviour
8 and reverse patterns before they
9 become trends."

10 And my question, other than what does
11 that mean, is: How does it relate to actually
12 reducing claims costs and the experiences that we have
13 talked about this afternoon?

14 MR. WARD KEITH: It ties back to the
15 foundation of the road safety frameworks that we have
16 developed. What we believe is that if you have
17 frameworks in place, methodologies in place that have
18 been independently evaluated and serve the purpose of
19 properly identifying what the road safety priorities
20 should be, properly examining program development
21 opportunities that are grounded in proven or best
22 practice, or promising practice, internationally or
23 nationally and you have a method to evaluate those
24 programs, that at the end of the day, it will result
25 in initiatives that make a difference and contribute

1 to overall road safety in Manitoba.

2 The challenge that we have had is that,
3 again, as one (1) player within this -- within this
4 environment, education and awareness alone is not
5 going to result in the road safety outcomes that as a
6 jurisdiction, we need. And that's why it's important
7 that all the players within the Province come together
8 and that is the work that's being done through the
9 Provincial Road Safety Committee.

10 MR. RAYMOND OAKES: We had asked the
11 Corporation to indicate what the new motorcycle
12 initiatives were, and we were told that they had eight
13 (8) new social media messages.

14 Is that the extent of new motorcycle
15 initiatives by MPI?

16 MR. WARD KEITH: Is there a reference
17 to that, Mr. Oakes?

18 MR. RAYMOND OAKES: I believe it's
19 CMMG-1-14.

20

21 (BRIEF PAUSE)

22

23 MR. WARD KEITH: So apart from the
24 programs that we currently support today, that -- that
25 is, the new initiatives with respect to education and

1 awareness, and raising -- continuing to try and raise
2 the issue of -- of drivers needing to be cautious of
3 motorcyclists on the road, and additional programs and
4 initiatives are being in the planning stages for the
5 next year.

6 MR. RAYMOND OAKES: Well, if that's
7 the only new initiative, I guess I'll wait for next
8 year to hear about more new initiatives. And, Mr.
9 Chairman, those are my questions this afternoon.
10 Thank you.

11 THE CHAIRPERSON: Thank you, Mr.
12 Oakes. Mr. Monnin...?

13 MR. CHRISTIAN MONNIN: Sure, Mr.
14 Chair. We might want to stand down for just a couple
15 minutes so I can move.

16 THE CHAIRPERSON: Certainly.

17 MR. CHRISTIAN MONNIN: Thank you.

18 I also have a book of documents, which
19 I'll be circulating as well.

20

21 (BRIEF PAUSE)

22

23 CROSS-EXAMINATION BY MR. CHRISTIAN MONNIN:

24 MR. CHRISTIAN MONNIN: Thank you, Mr.

25 Chair, Members of the Board. Good afternoon.

1 MR. WARD KEITH: Good afternoon.

2 MR. CHRISTIAN MONNIN: I'll just start
3 off -- just want to clarify the Corporation's position
4 with respect to its role with regards to the road
5 safety issue. I -- I've heard a few times today in
6 your evidence that you're an active player in the road
7 safety issue. You're one (1) player with many
8 stakeholders. Is that correct?

9 MR. WARD KEITH: Yes.

10 MR. CHRISTIAN MONNIN: So to summarize
11 the Corporation's position a little bit like an ant
12 colony. You're -- you're greater than the sum of your
13 parts, but you're just -- you're -- you're part of --
14 of all the stakeholders. That's your position?

15 MR. WARD KEITH: Well, we are one (1)
16 player in a much broader context.

17 MR. CHRISTIAN MONNIN: And you're part
18 of the provincial road safety committee?

19 MR. WARD KEITH: Yes, along with other
20 players.

21 MR. CHRISTIAN MONNIN: Except in that
22 scenario your position is as a co-chair. You're part
23 of the leadership of that committee; correct?

24 MR. WARD KEITH: Yes, that's right.

25 MR. CHRISTIAN MONNIN: And so based on

1 that you would agree with me that MPI, because of its
2 position as a co-chair of the committee, has a
3 leadership role in the road safety question in
4 Manitoba?

5 MR. WARD KEITH: Yes, for sure, as --
6 as does the rest of the leadership group that is part
7 of this committee.

8 MR. CHRISTIAN MONNIN: Right. But the
9 plan that we saw that was issued from the province was
10 -- you were a signatory to that plan as part of the
11 leadership of the road safety question in Manitoba?

12 MR. WARD KEITH: Yes, on behalf of the
13 leadership group. Yeah.

14 MR. CHRISTIAN MONNIN: On behalf of
15 MPI as well?

16 MR. WARD KEITH: And on behalf of MPI
17 as well, yes.

18 MR. CHRISTIAN MONNIN: Diana, if you
19 could please go to loss prevention page 14 of 81,
20 please, lines 20 -- 17 to 26. I just want to make
21 sure we're singing from the same songbook here.

22

23 (BRIEF PAUSE)

24

25 MR. CHRISTIAN MONNIN: So in your

1 presentation today with respect to that question, Mr.
2 Keith, the answer that MPI gave, and that's your slide
3 deck 39. We don't need to go there, but at 10.33, the
4 question or the order that was given by the Board was
5 to provide information regarding MPI's intention
6 and/or efforts, if any, to employ consideration of
7 social costs of collisions to set road safety
8 programming priorities.

9 And the first bullet of your -- your
10 slide 39 was:

11 "Social costs of collisions are best
12 addressed at a jurisdictional level
13 as they include health, economic,
14 and societal factors."

15 Is it fair to say that that's basically
16 -- you're -- you're saying it isn't within our
17 wheelhouse to deal with this, we should push it down
18 to these other players. Is that, essentially, what
19 MPI is saying?

20 MR. WARD KEITH: No. No, what -- what
21 we're saying is that in the context of this rate
22 application that we do not use social costs. We use
23 direct costs because they are direct costs to the
24 insurance pool and, therefore, drive the premiums that
25 are required from Manitobans. So that reference is in

1 specific context of this hearing and this application.

2 That said, you know, we do understand
3 and we do support the broader concept of social costs
4 being caused as a result of motor vehicle collisions.
5 But our point is that the focus on social costs in
6 driving priorities needs to be at a jurisdictional
7 level, and is better suited there than at this level
8 where we are talking about approval of rates for the
9 basic compulsory Autopac program.

10 MR. CHRISTIAN MONNIN: Fair. But
11 would that position be contrary to -- I'm suggesting
12 it is, to what this Board has said at, for example,
13 Order 135.14 or -- or Order 128.15. And I'll get to
14 that. What this Board has said, it said, "In
15 addition," and this is 135.14:

16 "Successful road safety and loss
17 prevention programs can minimize the
18 economic and social cost to
19 ratepayers resulting from
20 collisions."

21 And at Board Order 128/15 this Board
22 has said in this:

23 "The Board expects, however, that
24 MPI demonstrates in a more concrete
25 fashion that has optimized its road

1 safety budget and is carrying out
2 its responsibilities as a leader on
3 road safety by spending on
4 initiatives that can reduce the
5 social and financial costs of
6 collisions."

7 MR. MATTHEW GHIKAS: Would you mind --
8 do have a specific reference that you could show the
9 witness, please, Mr. Monnin?

10 MR. CHRISTIAN MONNIN: Sure. I
11 believe it's Bike Winnipeg number 3, which is the
12 slide deck which I give in my opening submissions on
13 October 2nd. And, Diana, that would be deck -- page
14 number 4.

15 MR. MATTHEW GHIKAS: But you haven't
16 got the order so that the context on the front and the
17 back can be seen?

18 MR. CHRISTIAN MONNIN: No, sir, I do
19 not.

20 MR. MATTHEW GHIKAS: Well, we'll see
21 how it goes, Mr. Chairman. But I think in fairness,
22 if Mr. Monnin is going to be taking quotes out of the
23 documents the context around those statements should
24 be generally a part of the discussion.

25 THE CHAIRPERSON: Well, what we could

1 do is at the mid afternoon break we can pull the
2 orders and give them to your client. Or it might take
3 them a little while to read the entire order, though
4 or -- or the select pages. Why -- why don't you go --
5 move forward, Mr. Monnin, and -- and if need be, we'll
6 -- we'll deal with at the break.

7 MR. CHRISTIAN MONNIN: Thank you, Mr.
8 Chair.

9

10 (BRIEF PAUSE)

11

12 CONTINUED BY MR. CHRISTIAN MONNIN:

13 MR. CHRISTIAN MONNIN: Diana, if you'd
14 go back to the application loss prevention, page 16,
15 please. If you scroll down lines 19 through 27. The
16 next few questions will be bouncing around a little
17 bit in the application, but these are what my friend
18 Mr. Williams would call "short snappers." This one
19 (1) is under the heading of "Manitoba Trucking
20 Association Transport Canada." And MPI writes it's:
21 "Pursuing development of a new line
22 of road safety initiatives in
23 collaboration with the Manitoba
24 Trucking Association, including
25 education and awareness targeted at

1 vulnerable road users sharing the
2 road safety with trucks in a
3 partnership with future programming
4 targeted to drivers."

5 My understanding here is that the first
6 step is aimed at VRUs. Is that correct?

7 MR. WARD KEITH: That's part of the
8 initiative, yes.

9 MR. CHRISTIAN MONNIN: And -- and why
10 -- why is MPI aiming VRUs first and not the truck
11 drivers themselves -- the truck I was at a later date?

12 MR. WARD KEITH: Well, this -- this is
13 not -- this is not written in an order fashion. So,
14 you know, it doesn't say that this will be done first.
15 It says it'll be part of the initiative.

16 MR. CHRISTIAN MONNIN: Okay.

17 MR. WARD KEITH: And the rationale for
18 that is that as with all of our cycling safety
19 materials, we aim to focus messaging at both the
20 drivers of vehicles and the riders of bicycles. And
21 with -- with large trucks in particular, the feedback
22 that we've received, through -- the through the -- the
23 external stakeholder committee on loss prevention, is
24 that, you know, there are blind spots within trucks
25 that cause significant concern, particularly for

1 vulnerable road users such as bicyclists.

2 So if a bicyclist comes up alongside or
3 attempts to overtake a large vehicle there is a point
4 at which that cyclist simply cannot be seen in the
5 rearview or the side view -- view mirrors of th -- of
6 that trucker.

7 And so part of it is educating the
8 cyclist where the blind spots are on a -- on a large
9 truck so that they can ride safely, in addition to and
10 equally as important, educating the drivers of large
11 trucks on the need to -- the need to be alert to -- to
12 cyclists and pedestrians. There's no order intended
13 in this paragraph.

14 MR. CHRISTIAN MONNIN: Okay. So when
15 I read:

16 "MPI is pursuing development of a
17 line of road safety initiatives in
18 collaboration with the Manitoba
19 Trucking Association, including
20 education and awareness targeted to
21 vulnerable road users sharing the
22 road safely with trucks and a
23 partnership on future programming
24 targeting drivers."

25 That's not sequential.

1 MR. WARD KEITH: Right.

2 MR. CHRISTIAN MONNIN: Okay. Thank
3 you.

4 MR. WARD KEITH: Yeah. You're
5 welcome.

6 MR. CHRISTIAN MONNIN: Page 22 please,
7 Diana. Lines 24 to 26. We've already gone through
8 this language and my friend Mr. Oakes has gone through
9 the language. And I just -- lifting from this is that
10 -- is MPI saying that at its core road safety
11 objective is preventing injury, and - and that's the
12 sole driver. Is that -- is that fair to say?

13 MR. WARD KEITH: I'm sorry, Mr.
14 Monnin. Could you repeat that?

15 MR. CHRISTIAN MONNIN: Sure. What
16 this sets out is that road sa -- at -- at the core of
17 road safety what drives road safety is the objective
18 to prevent injury and loss of life. Is that fair?

19 MR. WARD KEITH: That's fair.

20 MR. CHRISTIAN MONNIN: So that's the
21 sole driver of road safety?

22 MR. WARD KEITH: It's not the sole
23 driver, but it is at the core of what we do.

24 MR. CHRISTIAN MONNIN: Okay. So,
25 Diana, if you jump to LP Appendix 4 at page 35. And I

1 just need to understand your -- we've jumped a fair
2 bit downstream in your application where you have a
3 point system set up. And this is for, I believe, when
4 you're preparing programming for road safety.

5 And the critical collision stats, you
6 have it at sixty-five (65) points. When I say "you" I
7 mean the Corporation. I'm not saying you personally,
8 obviously. And you have fatal and serious injuries at
9 thirty-five (35) points, and relative collision costs
10 at thirty (30) points. And so that seems to be
11 counter to the road safety work at its core is
12 preventing injury and -- and you have these almost at
13 equal -- equal level.

14 Can you enlighten me on that?

15 MR. WARD KEITH: Well, I don't see
16 them as being separate, and I don't see them as being
17 stand alone. I think that there is absolutely a need
18 for a commitment to reducing human toll, which is why
19 the fatality and serious injuries are the most heavily
20 weighted within the -- within the framework. But
21 relative collision costs absolutely do contribute to
22 the -- to the premiums that need to be paid by
23 ratepayers and so they need to factor into the model
24 from a rate setting perspective.

25 MR. CHRISTIAN MONNIN: And with regard

1 to the road -- the road safety envelope, why wouldn't
2 fatalities and serious injury be given a higher points
3 aggregate if that's at the core of road safety?

4 MR. WARD KEITH: Well, it -- it is
5 given the highest aggregate so I -- I -- it would be
6 speculative for me to comment why it wouldn't be given
7 more. A lot of work went into this methodology. It
8 has been reviewed externally, and I believe it does
9 support that that is the core focus of our road safety
10 efforts.

11 MR. CHRISTIAN MONNIN: Diana, if you
12 can go back to LP loss prevention page 35 of 81,
13 please. Right there is good. Thank you. Starting at
14 line 4 and I just wanted some clarification on the
15 choice of language here by the Corporation. In
16 particular:

17 "This includes public awareness
18 campaigns, special events, community
19 outreach educational products and
20 activities, strategic enforcement
21 that reinforces awareness campaigns
22 to maximum effectiveness in research
23 activities."

24 In particular:

25 "Strategic enforcement that

1 reinforces awareness campaigns to
2 maximize effectiveness."

3 What does that mean?

4 MR. WARD KEITH: So --

5 MR. CHRISTIAN MONNIN: And examples of
6 that?

7 MR. WARD KEITH: Sorry?

8 MR. CHRISTIAN MONNIN: What does it
9 mean and can you provide concrete examples of
10 strategic enforcement that reinforces awareness
11 campaigns to maximum maximize effectiveness, please?

12 MR. WARD KEITH: Sure. I'll try and
13 do it in fewer words. It really is supported by the
14 testimony provided this morning on our enhanced
15 enforcement -- enforcement initiatives. So the reason
16 that we provide funding for enhanced police
17 enforcement is to support and complement our road
18 safety awareness and public advertising campaigns.

19 And so when we talk about strategic
20 enforcement, we specifically select the awareness
21 campaigns that we believe will be benefitted and
22 supplemented by enhanced enforcement on the roadway.
23 And that's what we try and target. And where we refer
24 to maximum effectiveness, again, that relates to our
25 research, which basically tells us that for public

1 awareness campaigns to be most effective they need to
2 be accompanied by visible enforcement.

3 And for vis -- and for enforcement to
4 be most effective at deterring unsafe driving
5 behaviour, it needs to be highly publicized. And so
6 combining these two initiatives, these two strategies,
7 gives us, we believe, the most -- the maximum benefit
8 in terms of our -- the -- the outcomes of our public
9 awareness campaigns.

10 MR. CHRISTIAN MONNIN: Thank you for
11 that. So Diana, again, I said I wouldn't make you --
12 be making a jump around. I -- I'm keeping my promise.
13 If you go to LP Appendix 13.

14 And, sir, I believe you canvassed this
15 issue with some of my colleagues, but in particular
16 with Board counsel. Scroll down, please, Diana, to
17 the next page where we touch upon RoadWatch which is
18 8.4 percent of the budget. And that would be the
19 strategic enforcement pocket; correct?

20 MR. WARD KEITH: Correct.

21 MR. CHRISTIAN MONNIN: And it seems we
22 -- we -- Board counsel touched upon this and that --
23 that funding has gone down.

24 MR. WARD KEITH: Correct.

25 MR. CHRISTIAN MONNIN: From 9.9

1 percent of the budget total, we're down to 8.4 percent
2 or -- or it's going down, trending down towards
3 2019/2020; correct?

4 MR. WARD KEITH: Well, it has, but the
5 context is as I described this morning. That's
6 because there was a specific envelope of funding
7 assigned to the intersection pilot program and that
8 was expended in '16/'17 and '17/'18.

9 MR. CHRISTIAN MONNIN: Right. But my
10 question for you and for the Corporation on this point
11 is my understanding is this, is that one (1) of the
12 main goals of the Corporation is awareness. Is that
13 safe to say?

14 MR. WARD KEITH: Yes.

15 MR. CHRISTIAN MONNIN: And it's my
16 understanding also that the Corporation views that the
17 strategic enforcement that reinforces awareness
18 campaigns is it leads to greater awareness. Is that
19 correct?

20 MR. WARD KEITH: Yes.

21 MR. CHRISTIAN MONNIN: So why not a
22 greater bunch of for it, sir?

23 MR. WARD KEITH: Well, there has been
24 an increase in the budget over the years. This is
25 this particular chart, because of the years that we

1 provided, is somewhat misrepresentative because of the
2 specific funding envelope that was provided for the
3 intersection pilot program. But if we go back three
4 (3) or four (4) years, you would see that there has
5 absolutely been an increase in funding enforcement.
6 We increased funding enforcement with respect to
7 tackling distracted driving.

8 We have in the last three (3) years, I
9 believe, increased enforcement with respect to schools
10 zone safety and -- and added enforcement in terms of
11 the of impaired driving, and speed on winter and ice
12 roads with the RCMP. All of that without -- without
13 sacrificing the funding that is continuing to provide
14 for the RoadWatch program, which runs from May to
15 October, I believe.

16 MR. CHRISTIAN MONNIN: And what the
17 Corporation did in the past is very laudable and --
18 and I welcome that. But I'm looking on it from a
19 forward perspective.

20 I don't think we can contest the
21 numbers that that budget is going down; correct?

22 MR. WARD KEITH: I'm -- I'm sorry?

23 MR. CHRISTIAN MONNIN: I don't think -
24 - going forward I don't think we can contest that the
25 budget for that pocket is going down; correct?

1 MR. WARD KEITH: Well, based on this
2 data, we can't contest that by three thousand dollars
3 (\$3,000).

4 MR. CHRISTIAN MONNIN: And what, if
5 anything, for this RoadWatch strategic enforcement
6 that reinforces awareness campaigns? What -- what --
7 what is -- what is MPI going to do with the
8 introduction of recreational drugs for RoadWatch --
9 for strategic enforcement? Shouldn't that budget
10 increase, certainly, as of 2018?

11 MR. WARD KEITH: Well, those are
12 discussions that we have not yet had with the
13 Association of Chiefs of Police. So they have not yet
14 formulated their plans for how they will enforce this
15 legislation when it comes into play. I think they are
16 focused at the moment on how they will handle their
17 core enforcement activities with respect to that. And
18 I don't believe they'd be prepared to entertain
19 discussions about how they would enhance their
20 enforcement over that. It's just too early for that,
21 but I'm certainly not ruling out that that may be
22 looked at.

23 MR. CHRISTIAN MONNIN: So is it safe
24 to say that MPI is -- is pleased with the result of
25 this -- this RoadWatch strategic enforcement? That it

1 works? It views it that -- that it works?

2 MR. WARD KEITH: We do believe it's
3 effective, yes.

4 MR. CHRISTIAN MONNIN: So why not do
5 it all year? Why only do it in pockets of time, and
6 holidays? Why not have it as a baseline?

7 MR. WARD KEITH: Well, because we want
8 to be careful that, you know, not to use ratepayer
9 funds. At the end of the day these are ratepayer
10 funds, and we want to be careful not to use ratepayer
11 funds to replace traditional traffic enforcement,
12 which is -- which is the responsibility of the police
13 agencies.

14 So what we do instead is we focus more
15 specifically on our education campaigns and how to
16 drive the effectiveness of those campaigns. We are
17 prepared to look in future at whether or not we can
18 support increases in additional enhanced enforcement
19 initiatives. But they will always be tied to our
20 public awareness efforts in order to maximize the
21 outcomes of those efforts, not to replace traditional
22 traffic enforcement that's the responsibility of the
23 municipalities.

24 MR. CHRISTIAN MONNIN: To put it a
25 little glibly, I -- I think MPI, from what I'm taking,

1 is a serial -- a serial poller. It -- it -- on a
2 quarterly basis it goes to -- to the public to seek
3 direction and seek public opinion. Is that correct?

4 MR. WARD KEITH: We do on a quarterly
5 basis, yes.

6 MR. CHRISTIAN MONNIN: Has MPI ever
7 polled the public about having enforced a RoadWatch or
8 enforced enhancement on a yearly basis?

9 MR. WARD KEITH: I would have to take
10 that under advisement and make that subject to check.

11 MR. CHRISTIAN MONNIN: Will you take
12 the advisement? Thank you.

13 MR. MATTHEW GHIKAS: So, yes, I
14 believe it's an undertaking to -- well, can you just
15 rephrase it for the record?

16 MR. CHRISTIAN MONNIN: To cur --
17 confirm whether MPI has at any time conducted polling
18 with respect to gauging public support with respect to
19 -- in -- in its strategic enforcement, RoadWatch, for
20 example, on a yearly basis rather than just seasonal.

21 MR. MATTHEW GHIKAS: We'll take that
22 undertaking.

23 MR. CHRISTIAN MONNIN: Thank you.

24

25 --- UNDERTAKING NO. 21: The Corporation to confirm

1 whether MPI has at any
2 time conducted polling
3 with respect to gauging
4 public support in its
5 strategic enforcement,
6 RoadWatch, on a yearly
7 basis rather than just
8 seasonal

9

10 MR. CHRISTIAN MONNIN: Diana, page 53
11 of 81, please. Pardon me?

12 THE CHAIRPERSON: We'll -- we'll take
13 a fifteen (15) minute break. And maybe during this
14 time, we can pull the two (2) Orders and you can
15 review it with Mr. Ghikas, and if necessary we'll make
16 copies of -- of the Orders.

17

18 --- Upon recessing at 2:16 p.m.

19 --- Upon resuming at 2:33 p.m.

20

21 THE CHAIRPERSON: Okay, Mr. Monnin, I
22 think we can resume.

23 MR. CHRISTIAN MONNIN: Thank you, Mr.
24 Chair.

25

1 CONTINUED BY MR. CHRISTIAN MONNIN:

2 MR. CHRISTIAN MONNIN: Now, sir, you
3 addressed this language with My Friend Mr. Oakes but,
4 in particular, starting at line 4:

5 "As in past years the maps
6 demonstrate that an elevated risk
7 for injuries and deaths of
8 vulnerable road users is not
9 identifiable within specific
10 hotspots; rather, these incidents
11 occur with a high degree of
12 randomness throughout urban
13 environments."

14 Diana, if you can go to Appendix 12,
15 please, in particular, we'll start with page 4 at
16 Appendix 12. And I'm not sure if you could also split
17 screen that with page 5 of Appendix 12.

18 And looking at page 4 that's top 50 of
19 bodily injury related collision locations at
20 intersections in Winnipeg 2012-2016.

21 If you can scroll up, Diana, please.
22 Looking at this first page, for example, there's a
23 legend, so the big red square is 195 to 250 -- sorry,
24 circled rather 195 to 250 collisions. The orange is
25 150 to 194. The smaller but dark -- but dark orange

1 is 120 to 149.

2 And this is -- these are generated from
3 information from -- data from the Corporation,
4 correct?

5 MR. WARD KEITH: Yes, that's correct.

6 MR. CHRISTIAN MONNIN: And so if you
7 look at, for example, Grassie Boulevard, which is on
8 the top right-hand side. There's a 150 to 194. And
9 if you go down to the Nairn Street there's a 195 to 1
10 -- to 250.

11 If you look down at Lee Boulevard near
12 Bison Drive there's another hit there. Also Columbia
13 Drive there's other hit there and Tuxedo Avenue
14 there's another hit there. Disraeli, there's a hit
15 there and Notre Dame. Now, Diana, if you go to the
16 next one at page 5.

17 Those eight (8), which I enumerated a
18 lot of them you can find them again but with
19 collisions related to fatalities at intersections.
20 You'll see Nairn Avenue is -- is represented there.
21 You'll see Lee Boulevard again. You'll see the Tuxedo
22 Avenue. You'll see Chief Peguis and McPhillips.

23 Those hotspots -- wait, you'll also
24 find them at page 6, which is pedestrian vehicle
25 collisions intersections, and also at page 8, which is

1 collisions related pedestrian fatalities
2 intersections. Page 8 being the pedestrian-related
3 fatalities, for example. Nairn is up there again,
4 Disraeli, Tuxedo, Lee Boulevard.

5 And so this is a four (4) year snapshot
6 and I'm struggling to see where the randomness is here
7 where we know at least four (4) to five (5)
8 intersections where they're high collisions with
9 vehicles and there's fatalities with pedestrians and
10 VRUs.

11 Would you agree with that?

12 MR. WARD KEITH: Well, the data that
13 we're looking at right now is overall fatalities and
14 overall collisions, not specific to vulnerable road
15 users.

16 MR. CHRISTIAN MONNIN: Right. But if
17 you look at between 2012 and 2016, we can identify
18 specific intersections which are high motor vehicle
19 collisions.

20 MR. WARD KEITH: Yes, absolutely
21 great.

22 MR. CHRISTIAN MONNIN: Great. And
23 some of those very same areas or intersections are
24 also where there are fatalities with pedestrians and
25 VRUs. Do you agree with that?

1 MR. WARD KEITH: Well, that's true but
2 when you tease out the fatalities -- when you tease
3 out the pedestrians and the cyclists, the vulnerable
4 road users, the numbers at each intersection become
5 very very -- much smaller. And so then to be able to
6 identify trending with respect to those small numbers,
7 that's the difficulty.

8 So when we have a -- a total look at
9 all collisions and all fatalities and all serious
10 injury claims, and we plot those in the City of
11 Winnipeg, we are able to identify these collision hot
12 spots, these fatality hotspots.

13 What I'm saying is that when you tease
14 out and look just at the vulnerable road users, the
15 numbers are so small that it becomes much more
16 difficult to be able to identify those as hotspots.

17 MR. CHRISTIAN MONNIN: Right, sir, but
18 we're working toward zero here, are we not? So one
19 (1) fatality at one (1) intersection that is known to
20 have a high motor vehicle collision number, we can peg
21 where that happens with the data we have?

22 MR. WARD KEITH: Yes.

23 MR. CHRISTIAN MONNIN: And what are we
24 doing about that?

25 MR. WARD KEITH: Well, the question

1 is: What is reasonable to do about it?

2 MR. CHRISTIAN MONNIN: And what is
3 reasonable to do about it? What are we doing that is
4 reasonable, sir?

5 MR. WARD KEITH: So what we're doing
6 is we're focusing on the contributing factors that
7 drive these collisions and these fatalities, and we're
8 trying to address those contributing factors from a
9 road user behaviour perspective. We are not taking
10 data that identifies, using your words, one (1)
11 fatality at an intersection and using that to then
12 create initiatives to -- to amend the intersection
13 design or construction along with Manitoba
14 infrastructure, the city of Winnipeg, for example.

15 Our role I think is to raise awareness
16 about the issues that are contributing to collisions
17 and fatalities, and to try and address those in a
18 meaningful way.

19 MR. CHRISTIAN MONNIN: Okay. So let's
20 -- let's walk away from fatalities, and let's just
21 look at bodily injury, the human toll. Page 4,
22 Appendix 12, we have top 50 bodily injury, let's just
23 work with that.

24 Here we have 190 -- you have zones with
25 195 and 250 at intersections; some of these repeat

1 offenders.

2 What are we doing about bodily injury
3 zones like this?

4 MR. WARD KEITH: Well, the bodily
5 injuries result from the collisions. And again, we're
6 trying to tackle road user behaviour and deal with the
7 contributing factors that are driving these
8 collisions.

9 MR. CHRISTIAN MONNIN: And is part of
10 that -- I -- I think if you go to Page 52, Diana, of
11 the LP Loss Prevention, please.

12 The intersection safety signage pilot;
13 is that part of it?

14 MR. WARD KEITH: Yes.

15 MR. CHRISTIAN MONNIN: And those are
16 permanent signs, sir?

17 MR. WARD KEITH: Well, they are
18 permanent signs for the period of the pilot.

19 MR. CHRISTIAN MONNIN: And -- and --

20 MR. WARD KEITH: We're trying to
21 measure --

22 MR. CHRISTIAN MONNIN: And it's a two-
23 year -- that's a two-year period?

24 MR. WARD KEITH: Yes. And through
25 that time we're trying to measure the effectiveness of

1 those signs in impacting the collisions.

2 MR. CHRISTIAN MONNIN: Isn't that
3 contrary to the evidence you were giving earlier today
4 about the wildlife management where you have -- signs
5 are only there for a period of time because after a
6 certain amount of time drivers ignore these signs?

7 MR. WARD KEITH: Well, it's not
8 contrary because the signage that we have created is
9 supplemented by variable message signs at these
10 intersections during the pilot period.

11 The whole intent, Mr. Monnin, was to
12 see if we could replicate the results of a study that
13 was done in the Province of Alberta, and in the
14 Province of Alberta, they're the ones that initiated
15 this -- this -- this project to place high collision
16 signage at intersections.

17 The -- the pilot will tell us whether
18 or not this has been effective. It will tell us
19 whether or not the signs have been normalized to the
20 point that they no longer impact driving behaviour.
21 It will tell us, hopefully, whether the signs
22 influence driving behaviour at all, quite frankly.
23 And that's what will -- will determine when we
24 complete the evaluation of the study.

25 MR. CHRISTIAN MONNIN: Now, I know you

1 -- the report is to be repaired in 2018. Do you have
2 an interim report or anything of that nature? Any
3 data that can be shared?

4 MR. WARD KEITH: No, we don't -- I
5 don't at this point. We are, as I say, we are
6 tracking on a monthly basis the collisions at these
7 intersections. They are sometimes positive; they are
8 sometimes negative in terms of downward trending, but
9 there's nothing that I have that tells us at this
10 point whether or not this is a successful initiative.

11 MR. CHRISTIAN MONNIN: Diana, if you
12 go to page 37, please, of the Loss Prevention. Scroll
13 down, please, Distracted Driving.

14 This was also canvassed with My Friend
15 counsel for the PUB earlier today, in particular, the
16 second bullet:

17 "support for tougher legislative
18 countermeasures to combat the use of
19 electronic communication devices
20 while driving, and more intense
21 frequent and sustained law
22 enforcement."

23 And the -- also further in the filing,
24 and we'll get to that, but this -- this narrative of -
25 - of supporting tougher legislative measures for road

1 safety is something that has been raised a couple
2 times, at least, in the filing.

3 And in your discussion with My Friend
4 from the PUB you gave some examples of what other
5 jurisdictions are doing. Is that correct?

6 MR. WARD KEITH: Yes.

7 MR. CHRISTIAN MONNIN: Can you give us
8 concrete examples of what support MPI has -- has taken
9 and what -- what have they provided to the legislative
10 body on Broadway to -- to -- to support these
11 measures? Any suggestions, concrete examples, sir?

12

13 (BRIEF PAUSE)

14

15 MR. WARD KEITH: I guess there's two
16 (2) aspects to this question -- two (2) aspects to my
17 answer, I mean. The first is that, you know, as part
18 of our work on the provincial road safety committee,
19 if you read through that, your report, you will see
20 that a priority has been established at the provincial
21 level for recommending, you know, additional
22 countermeasures, legislative countermeasures. So,
23 there will be work through that body which is
24 appropriate as a provincial body.

25 With respect to anything that has gone

1 directly to government from MPI, I'm not in a position
2 to talk about that in this -- in this forum.

3 MR. CHRISTIAN MONNIN: Are you in a
4 position to advise if anything specific has gone
5 forward to the government?

6 MR. WARD KEITH: No --

7 MR. MATTHEW GHIKAS: Sorry, let me
8 just interject. I think the issue is one (1) of
9 cabinet privilege, where the information that's
10 disclosed to government or stated by government to MPI
11 is one that's privileged and the privilege is held by
12 government and not by MPI.

13

14 CONTINUED BY MR. CHRISTIAN MONNIN:

15 MR. CHRISTIAN MONNIN: So this is not
16 -- these -- these legislative supportive measures is
17 not something that would be addressed at the
18 provincial road safety committee where MPI is a
19 cochair?

20 MR. WARD KEITH: Well, it would be
21 addressed with recommendations to government and
22 government is the body that has the authority to amend
23 legislation.

24 MR. CHRISTIAN MONNIN: And so any
25 recommendations would be reflected in the minutes that

1 has been provided as part of the record; is that
2 correct?

3 MR. WARD KEITH: I -- I don't know
4 that the minutes would be that specific, given the
5 cabinet confidences we've talked about.

6 MR. CHRISTIAN MONNIN: I -- I'm not
7 even touching cabinet confidence. I'm talking about
8 what discussion has been had with the Provincial Road
9 Safety Committee and the stakeholders who are all
10 players in the road safety issue in Manitoba.

11 And my understanding this is -- it
12 generates minutes which we can get to, which are
13 public documents that speak -- there's no -- there's
14 no closed discussions. There's nothing in the minutes
15 that I've seen that speak to things having been off
16 the record for cabinet confidentiality.

17 I'm just inquiring whether the specific
18 legislative recommendations or suggestions by MPI have
19 been discussed at the Provincial Road Safety Committee
20 level.

21 MR. WARD KEITH: This would have to be
22 subject to check, Mr. Monnin, but I believe in last
23 year's application we did provide the results of the
24 feedback from the Road Safety Summit that was
25 initiated by the Provincial Road Safety Committee, and

1 that included feedback in focus groups from a number
2 of stakeholders with respect to -- potential for
3 additional legislative countermeasures that could be
4 considered.

5 MR. CHRISTIAN MONNIN: So when MPI
6 puts in its filing support for tougher legislative
7 countermeasures to combat the use of electronic
8 communication, and it also refers to other support for
9 legislative measures, we have to take that at face
10 value because if there is anything, it's pro --
11 protected by cabinet confidentiality; that's the
12 position of MPI?

13 MR. WARD KEITH: With respect to the
14 information that goes to government, yes. When I talk
15 about support for legislative countermeasures or
16 tougher countermeasures, as was discussed this morning
17 with Board counsel, that could be providing research
18 information. It could be providing jurisdictional
19 scans from other jurisdictions to support government's
20 decisions.

21

22 (BRIEF PAUSE)

23

24 MR. CHRISTIAN MONNIN: Thank you.
25 Bear with me for a second, please.

1 (BRIEF PAUSE)

2

3 MR. CHRISTIAN MONNIN: Diana, at page
4 80 and 81 of Loss Prevention, please. So, in
5 particular -- sorry, it's actually LP Appendix 1. And
6 these are the minutes, sir, of the external
7 stakeholder committee on Loss Prevention. I know it's
8 not the Provincial Road Safety Committee

9 But, you had indicated earlier today
10 that there's rather robust discussions that occur at
11 that -- at these meetings. And that's not reflected
12 in the minutes; is that -- is that accurate?

13 MR. WARD KEITH: That was my caution
14 in reading the minutes, yes.

15 MR. CHRISTIAN MONNIN: Okay. So
16 looking at, for example, this July 28, 2016, these
17 minutes, the attendees are about twenty (20)
18 individuals and from my understanding they met for
19 about an hour and a half; is that safe to say based on
20 the minutes?

21 MR. WARD KEITH: Yes.

22 MR. CHRISTIAN MONNIN: And if we flip
23 over the next one on page 3, it's November 10, 2016,
24 around the same amount of attendees. They met for
25 another hour and a half; is that correct?

1 MR. WARD KEITH: Yes.

2 MR. CHRISTIAN MONNIN: And then again
3 in March -- on March 2nd, 2017 another meeting around
4 the same amount of individuals and they met for an
5 hour and a half.

6 MR. WARD KEITH: Yes.

7 MR. CHRISTIAN MONNIN: And are we to
8 assume that these twenty (20) individuals had the
9 opportunity within 4.5 hours and about eight (8)
10 months to have very robust discussions?

11 MR. WARD KEITH: At -- at the meetings
12 there is open discussion. There is open input
13 provided, based on the documents that -- the
14 information that gets shared by MPI and the
15 information that's brought forward by the other
16 stakeholders.

17 My -- my reference to the minutes this
18 morning was that not every discussion point is
19 captured in the minutes.

20 MR. CHRISTIAN MONNIN: Right, but we
21 have a temporal limitation here. We know that they
22 were there for an hour and half; correct? At least
23 we know that.

24 MR. WARD KEITH: That's correct.

25 MR. CHRISTIAN MONNIN: Okay. And the

1 question I put was just that are we to -- to assume
2 that within these twenty (20) individuals, within an
3 hour and a half, were able to have very robust and in-
4 depth discussions on road safety. I just -- is that
5 the position of MPI?

6 MR. WARD KEITH: That there -- yes,
7 that's my position. That's the position of MPI.

8 MR. CHRISTIAN MONNIN: Thank you. LP-
9 4, please, Appendix 4, Page 6. Look at the first
10 paragraph. I'm just -- in the first sentence this
11 document sets a course for the next three (3) years of
12 road safety programming for Manitoba Public Insurance
13 and continues an enhanced strategic approach to road
14 safety and initiate activities which was started in
15 2013-2014.

16 And I just wanted to get a sense of
17 what the Corporation means by "enhanced strategic
18 approach." Because we know that the funding envelope
19 hasn't grown tremendously. It's went from 11 million
20 now to about 13 million.

21 Is that safe to say?

22 MR. WARD KEITH: Subject to check, but
23 I can tell you what that means if --

24 MR. CHRISTIAN MONNIN: Sure, please.

25 MR. WARD KEITH: -- the work that was

1 done to formalize the road safety frameworks. So to
2 formalize our methodologies for research for priority
3 setting, for program development and program
4 evaluation. Those were started in 2013 and '14.
5 They've since been filed with this Board and they form
6 the basis of our ongoing operational plans.

7 MR. CHRISTIAN MONNIN: Page 8, please,
8 Diana. That first paragraph, in particular -- sorry,
9 in the second sentence, the defendant -- sorry, pardon
10 me. Civil litigation is hard to -- hard to shake
11 sometimes.

12 "The department leads to development
13 of initiatives intended to inform
14 and educate Manitobans about these
15 key road safety concerns, and is
16 responsible for formal and informal
17 program evaluations to measure the
18 effectiveness of road safety
19 initiatives against established
20 performance indicators, and
21 outcomes."

22 This is a theme in many of my questions
23 you'll see. What does that mean? And what's the form
24 -- what -- what -- what is a formal evaluation versus
25 an informal evaluation in the mind of the Corporation?

1 (BRIEF PAUSE)

2

3 MR. WARD KEITH: The distinction we're
4 trying to make here, Mr. Monnin, is when we do formal
5 evaluations they follow the evaluation framework,
6 which is very specific in terms of what we look at and
7 how we assess the performance of the initiative.

8 That doesn't mean that when we don't do
9 formal evaluations that we're continuously doing
10 informal program reviews and so that may mean
11 monitoring the results of initiatives with respect to
12 road safety surveys, with respect to changes in
13 driving behaviour that we can track as a result of the
14 initiatives, but they are -- they are more informal
15 monitoring the -- of the initiatives as opposed to
16 formal evaluations.

17 The formal evaluations we've done, in
18 accordance with the evaluation framework, look very
19 different, are much more comprehensive and have been
20 filed with the Board.

21 MR. CHRISTIAN MONNIN: So let's --let
22 -- behavioural data, how do you evaluate that? How
23 does MPI evaluate behavioural change?

24 MR. WARD KEITH: Well, part of the way
25 we evaluate - and we had this discussion last year -

1 is that when we're dealing with behavioural change, it
2 can take a long time. It can be incremental and so
3 some of the ways that we measure effectiveness is
4 through our road safety surveys.

5 And so we ask Manitobans, we try and
6 measure through our surveys the reach of our
7 initiatives, the reach of our campaigns, whether or
8 not Manitobans remember the messaging in those
9 campaigns; whether or not they report that the
10 messaging influenced their behaviour and convinced
11 them to change their driving behaviour.

12 We've talked previously about the fact
13 that that does not necessarily correlate to actual
14 change in driving behaviour or reductions in
15 collisions and fatalities and serious injuries. But
16 when it comes to measuring these kind of campaigns
17 measuring reach and measuring effectiveness in landing
18 the message and reported influence of the driver
19 behaviour is what we can rely on.

20 MR. CHRISTIAN MONNIN: So it's self-
21 reported, behavioural data.

22 MR. WARD KEITH: Yes.

23 MR. CHRISTIAN MONNIN: What about
24 cameras at high-frequency intersections?
25 Corporation's not doing that?

1 MR. WARD KEITH: We are not doing
2 that, no.

3 MR. CHRISTIAN MONNIN: What about
4 trained observers at high-frequency intersections?
5 They're not doing that?

6 MR. WARD KEITH: Trained observers to
7 observe what?

8 MR. CHRISTIAN MONNIN: Driving
9 behaviours, or...

10 MR. WARD KEITH: No, we're not doing
11 that.

12 MR. CHRISTIAN MONNIN: Why not?

13 MR. WARD KEITH: We've not looked at
14 it from an initiative perspective.

15 MR. CHRISTIAN MONNIN: Now, you
16 referred to the intersection danger program, which was
17 lifted from Alberta, I understand that Calgary has
18 cameras at intersections; is that right?

19 MR. WARD KEITH: I don't know that.
20 And if they do have cameras I don't know that they're
21 used for road safety purposes.

22 MR. CHRISTIAN MONNIN: Well, if you
23 don't have cameras, you can't know if they're used --
24 what they are used for.

25 MR. WARD KEITH: Right. I don't know

1 either.

2 MR. CHRISTIAN MONNIN: Page 13,
3 please, last paragraph:

4 "Additionally, the department
5 identifies gaps in relevant research
6 and design's innovative pilots to
7 gather valuable information. Road
8 safety also funds program
9 development studies and research
10 that helps influence what other
11 areas will ultimately do."

12 Are you able to provide a concrete
13 example today of how the department identified a gap
14 in relevant research and then subsequently divine --
15 designed an innovative pilot to gather valuable
16 information?

17 MR. WARD KEITH: I'd have to take that
18 under advisement.

19 MR. CHRISTIAN MONNIN: Can I get an
20 undertaking on that, counsel?

21 MR. STEVE SCARFONE: Yes, we can
22 provide that undertaking, if you just want to repeat
23 it into the record, Mr. Monnin.

24 MR. CHRISTIAN MONNIN: Certainly. At
25 Page 13 of LP, Appendix 14, the Corporation has

1 written:

2 "Additionally, the department
3 identifies gaps in relevant research
4 and design's innovative pilots to
5 gather valuable information. Road
6 safety also funds, program
7 development, (studies and research)
8 that helps influence what other
9 areas will ultimately do."

10 And I was just wondering if the
11 Corporation could provide concrete examples of where
12 the department has identified a gap in relevant
13 research and then designed an innovative pilot to
14 gather valuable information.

15 MR. STEVE SCARFONE: Yes. I could
16 have that undertaking.

17

18 --- UNDERTAKING NO. 22: If the Corporation could
19 provide concrete examples
20 of where the department
21 has identified a gap in
22 relevant research and then
23 designed a innovative
24 pilot to gather valuable
25 information.

1

2 CONTINUED BY MR. CHRISTIAN MONNIN:

3

MR. CHRISTIAN MONNIN: And I believe,
4 I said Appendix 14, that should be Appendix 4, and I
5 apologize. Page 23 of Appendix 4, please.

6

The paragraph that reads:

7

"Both priorities and new programming
8 ideas/concepts are reviewed by the
9 executive committee, and if
10 supported are delivered to the
11 external stakeholder committee on
12 loss prevention for input and
13 feedback in the late spring --
14 spring months. The goal is to gain
15 consensus with stakeholders on the
16 approaches -- on approach developed.
17 New ideas from external stakeholders
18 are also received and considered by
19 MPI".

20

And if I looked at the -- if you scroll
21 down, Diana, there's a -- a diagram. Where does the,
22 "new ideas from external stakeholders," where does
23 that fit in to be received and considered by MPI? At
24 what stage in this process do we seek input from the
25 stakeholders?

1 MR. WARD KEITH: Well that would be in
2 April and May when we say, "consultation with external
3 stakeholders."

4 MR. CHRISTIAN MONNIN: Okay. And what
5 about -- that's a consultation for a program that's
6 been developed by MPI. Is that correct?

7 MR. WARD KEITH: No, it's -- it's --
8 it's both a consultation on programs that have been
9 put forward, as well as requests for input of
10 additional initiatives that could be considered.

11 MR. CHRISTIAN MONNIN: Okay. Thank
12 you.

13 MR. WARD KEITH: And that call-out,
14 Mr. Monnin, was done in June of this year.

15 MR. CHRISTIAN MONNIN: Thank you.
16 Page 42, in with the road safety program development,
17 And again, on the issue of consultation with
18 stakeholders if you scroll down please, Diana.

19 We have issued identification, is --
20 issued analysis, consultation with other stakeholders.
21 Then you generate the solution, consultation with
22 other stakeholders.

23 Are you able to advise which
24 stakeholder -- is it the same group of stakeholders,
25 for example, that is generated between that -- that

1 site that's consulted between issue analysis and
2 generate solutions, or is it a separate -- and the
3 point I'm trying to make here is after you've
4 generated a solution, then you -- do you then go
5 consult with a different set of stakeholders?

6 MR. WARD KEITH: I don't believe so,
7 Mr. Monnin, I believe we're talking about the same
8 stakeholders. It could be formally through the
9 external committee that's been set up as well is
10 individually, based on our consultations with industry
11 groups and stakeholders separately.

12 MR. CHRISTIAN MONNIN: Page 63,
13 please, Appendix 4, evaluation challenges. The first
14 paragraph, the last sentence, it's written:

15 "Finally, the road safety department
16 may use additional external data
17 sources that may help to inform
18 program evaluations in the
19 recommendations related to program
20 development."

21 What types of internal data sources are
22 you referring to there? And can you provide a
23 concrete example?

24 MR. STEVE SCARFONE: Mr. Chairperson,
25 I don't mean to interject, but, we seem to have been

1 in a line of questioning now for some time that deals
2 almost exclusively with decision-making processes and
3 what may or may no -- not happen in the future, which
4 I don't see as particularly relevant to the rate-
5 making process and decisions that have in fact been
6 made that the impact the ratepayer.

7 MR. CHRISTIAN MONNIN: Well, I would
8 respond to that, Mr. Chair, with the third ground of
9 our intervention is to critically evaluate the quality
10 and clarity of MPI's data collection analysis and
11 accessibility regarding collisions involving formal
12 road users including, but not limited to cyclists
13 practically in comparison to transportation safety
14 programs from local, national, international entities.
15 We're dealing with the quality of the data.

16 THE CHAIRPERSON: Yeah, I'm going to
17 allow. Mr. Scarfone, your -- your argument is the
18 argument that was used previously in early -- earlier
19 times that safety, really had nothing to do with --
20 with the rate setting either.

21 So, I going to allow the questions.
22 Maybe if you could focus them on, sort of, the
23 specific issues that you're targeting.

24

25 CONTINUED BY MR. CHRISTIAN MONNIN:

1 MR. CHRISTIAN MONNIN: I'll do my
2 best, Mr. Chair, and I -- I've heard and understood.

3

4 CONTINUED BY MR. CHRISTIAN MONNIN;

5 MR. CHRISTIAN MONNIN: And the
6 question simply is, to repeat it, is referring to
7 additional data sources that may help inform in
8 program evaluations recommendations related to program
9 development, I just want to know, to appreciate the
10 quality of the data that MPI's relying upon, what
11 internal data sources are reliant -- are you referring
12 to here and -- and any concrete examples?

13 MR. WARD KEITH: Yes, well external
14 data sources would be, obviously, sources external to
15 MPI and the concrete example would be health data. As
16 I discussed with Board counsel this morning.

17 MR. CHRISTIAN MONNIN: Thank you.
18 Appendix 5 please, in particular, Page 17. Autonomous
19 vehicles, if you scroll down a little bit, some key
20 questions that arise we touched upon recommendations
21 for legislation here.

22 Key Number 2, is what legislation is
23 needed to find the infrastructure necessary for
24 autonomous driving? Has MPI turned its mind to that
25 and are they still relying on cabinet confidentiality

1 for that?

2 MR. WARD KEITH: Well, we've turned
3 our mind to this whole issue of autonomous vehicles
4 and what it will mean with respect to road safety,
5 what it will mean with respect to vehicle safety,
6 driver licensing requirements, et cetera. We've not
7 formally made recommendations or had discussions in
8 terms of what legislation may be required.

9 MR. CHRISTIAN MONNIN: Thank you.
10 Appendix 14, please. And My Friend, counsel for the
11 Board, touched upon this earlier today with dealing
12 with the jurisdictional differences between MPI, ICBC
13 and SGI.

14 And turning to Page 5 and 6, my
15 understanding is -- I think it was clear but I just
16 want to make sure I probably understood; that when you
17 made the comparison of how many dollars MPI spends on
18 a population basis because you backed-out certain
19 pockets of funding from SGI and ICBC, is that correct?

20 MR. WARD KEITH: Yes.

21 MR. CHRISTIAN MONNIN: And, Page 6, we
22 see that the second largest expenditure for ICBC is
23 road safety improvement; do you agree with that?

24 MR. WARD KEITH: Yes.

25 MR. CHRISTIAN MONNIN: And MPI's

1 position is, because of the legislation it's not able
2 to make such infrastructure investments; is that
3 correct?

4 MR. MATTHEW GHIKAS: We can confirm
5 that is MPI's position.

6

7 CONTINUED BY MR. CHRISTIAN MONNIN:

8 MR. CHRISTIAN MONNIN: And that's the
9 same position with regards to putting up fences, as My
10 Friend, Mr. Oakes, would want for -- for wildlife;
11 correct?

12 MR. STEVE SCARFONE: That's correct,
13 Mr. Monnin.

14

15 CONTINUED BY MR. CHRISTIAN MONNIN:

16 MR. CHRISTIAN MONNIN: And is that
17 because -- I provided a book of documents earlier
18 today. Diana, if you go to Tab 5 and 6, Tab 5 being
19 the Manitoba legislation 6(2)(h), if you scroll down.

20 I know I have to be a very cautious
21 because the next tab is is BC legislation and Mr.
22 Ghikas is -- is -- is BC counsel, so I'm going into
23 foreign territory.

24 Now, 6(h), is that -- my understanding
25 -- that's the language that meant -- that MPI says

1 limits what it can or can't do with regards to rate --
2 road safety; is that correct?

3 MR. STEVE SCARFONE: That's correct,
4 Mr. Monnin, that's the provision that we've relied
5 upon as saying that the -- an infrastructure is
6 outside of our jurisdiction.

7 MR. CHRISTIAN MONNIN: And for the
8 benefit of the record 6(h) -- 6(2)(h) from the
9 Manitoba legislation reads out:

10 "Carry out either alone or jointly
11 with other Board, commission,
12 Corporation, department or agency of
13 government, or any private person,
14 agency or association, introduce,
15 establish, supervise, finance, and
16 promote programs relating to health,
17 rehabilitation, safety and the
18 reduction of risk in respect of any
19 branch or class of insurance in
20 which the Corporation is engaged".

21 Next tab over, Diane, is Section 9 of
22 the relevant legislation, in British Columbia,
23 additional powers in particular 9(1)(I). If you
24 scroll down. Not verbatim, but I'd suggest you, it's
25 pretty darn close:

1 "Carry out either alone or with the
2 Board, commission, Corporation,
3 ministry or agency of government, or
4 a person, agency or association a
5 research, education, training,
6 competition or similar program
7 relating to highway safety".

8 My understanding is that languages is
9 very similar. And that's the language that ICBC uses
10 to avail itself of the ability to do road improvement
11 program; do you agree with that?

12 MR. STEVE SCARFONE: Mr. Monnin, we're
13 not in any way, Mr. Chair, trying to be obstructive.
14 The witness answered the question by Board counsel
15 earlier today, and our position on that hasn't
16 changed. I think it's probably -- rather than have a
17 quarrel over how the legislation should be
18 interpreted. It could be addressed in closing
19 submissions.

20 THE CHAIRPERSON: Yeah, I have a
21 problem in that you're asking the witness to make
22 comment about BC legislation and I don't know if the
23 witness should be put to that.

24 MR. CHRISTIAN MONNIN: Well, sir, it -
25 - I hear you. However, in their own filing, Mr.

1 Chair, they refer to, for example, at Page 3, The
2 Corporation. Although Manitoba, British Columbia, and
3 Saskatchewan have similar public insurance models, and
4 similar safety concerns. There are significant
5 differences in each insurer's jurisdiction to deal
6 with certain road safety issues, and they've put the
7 issue at play, they are saying "jurisdictionally",
8 therefore the legislation enabling statute prohibits
9 us from doing certain. In BC, which they can.

10 THE CHAIRPERSON: Well then, I think
11 it's fair to say, How is it different, but I don't
12 think you should ask them specifically to comment on
13 what the BC legislation means.

14 MR. CHRISTIAN MONNIN: Thank you

15 MR. MATTHEW GHIKAS: Mr. Chairman, I
16 think even that, if you're -- if you're asking for
17 what is -- what's the difference between -- MPI made
18 that point in the application, and certainly My Friend
19 is in a position to make that argument. And we will
20 be in a position to reply to that argument, in
21 argument. But whether or not it's a comparison by
22 reference to its similarities or its differences.
23 It's still a legal argument, and it's unfair --

24 THE CHAIRPERSON: Well, but the
25 problem --

1 MR. MATTHEW GHIKAS: -- to put it to
2 the witness in my submission.

3 THE CHAIRPERSON: Well, do you want --
4 can you show where it is in the application, where
5 they make the reference to it?

6 MR. CHRISTIAN MONNIN: LP Appendix 14,
7 Page 3, right off the top, and they referred to
8 differences in their mandates, and these are
9 legislative entities. And The enabling legislations
10 as I'm referring to, and maybe, perhaps I can couch it
11 this way.

12 Other than the two (2) provisions which
13 section shown, the first being the provision which MPI
14 relies upon to say that it's "limited" by legislation,
15 and the BC legislation which I've demonstrated time
16 which I'm -- which I've flagged well, is the
17 Corporation able to point to any other piece of the le
18 -- of the British Columbia legislation to support what
19 it says, that there are significant differences in
20 each insurer's jurisdiction to deal with, in
21 particular, the road improvement program?

22 MR. MATTHEW GHIKAS: Mr. Chairman, if
23 the question is being put to a non-lawyer, what legal
24 provisions in British Columbia -- my submission,
25 that's completely unfair. MPI as a Corporation has

1 put forward in its application, a position regarding
2 the legal interpretation. And my submission, it's
3 equally obvious that that has a legal interpretation
4 behind it that's being put forward by lawyers of the
5 Corporation, and they are the ones who should be
6 speaking to that, not the witness, in my submission.

7 MR. CHRISTIAN MONNIN: Okay, well, how
8 about we go to -- you know -- from your greatest hits,
9 Counsel, Page 4, LP Appendix 14, scroll down, stop
10 there please.

11 "MPI, ICBC and SGI all have similar
12 mandates to address similar road
13 safety issues. However, the
14 jurisdiction, each insurer has to
15 address these issues varies from
16 province to province. These
17 jurisdictional differences in turn
18 influence the specific programming
19 pursuit, such as infrastructure
20 improvements and enhanced
21 enforcement pursued by each
22 insurer."

23 Bike Winnipeg, this Intervenor, is not
24 the one that put that language in the application that
25 is been squarely put there by MPI, and we're dealing

1 with jurisdictional differences by legislative
2 mandate. And I'm asking where can you point to the
3 differences that you've raised, where can we find this
4 in the legislation, is there anything other than what
5 I've shown?

6 THE CHAIRPERSON: I think it's a --
7 number 1, I think it's a fair question, because it has
8 been put at issue, number 2, the witness can provide
9 whatever comment he can provide which includes, "I
10 don't know", and then it goes into legal argument.
11 But I think -- I think the question is fair because it
12 does arise from the filing.

13 MR. MATTHEW GHIKAS: Thank you.

14 THE CHAIRPERSON: Do you want to put
15 your question forward again? And we'll get a
16 response. You may not like the response.

17 MR. CHRISTIAN MONNIN: That's fair.
18 Thank you, Mr. Chair.

19

20 CONTINUED BY MR. CHRISTIAN MONNIN:

21 MR. CHRISTIAN MONNIN: What
22 differences in the ICBC, and MPI jurisdiction --
23 legislatively mandated jurisdiction. What can you
24 point to, to say MPI is prohibited from infrastructure
25 investment, whereas ICBC is not?

1 MR. WARD KEITH: I'm sorry, but I
2 don't feel qualified to make a legal interpretation of
3 the similarities or differences between legislation in
4 Manitoba and British Columbia.

5 MR. CHRISTIAN MONNIN: Okay, well
6 perhaps this -- this is something counsel and I can
7 tussle over later, but MPI has filed that there are
8 differences, that's the language there that we're
9 looking at.

10 Who at MPI is qualified to speak to
11 these differences?

12 MR. WARD KEITH: I would suggest that
13 question would be better addressed to our legal
14 counsel.

15 MR. CHRISTIAN MONNIN: All right.
16 You've prepared yourself for this evidence today, sir?

17 MR. WARD KEITH: Yes.

18 MR. CHRISTIAN MONNIN: And, you've
19 read the filing of MPI.

20 MR. WARD KEITH: Yes.

21 MR. CHRISTIAN MONNIN: And you
22 understand that MPI's taken the position that there
23 are jurisdictional differences between SGI and ICBC.

24 MR. WARD KEITH: Yes.

25 MR. CHRISTIAN MONNIN: Have you

1 informed yourself of what those differences are, sir?

2

3

(BRIEF PAUSE)

4

5 MR. WARD KEITH: I've informed myself
6 in the areas that I'm qualified to give evidence on
7 and that would not be a legal interpretation of
8 legislation between Manitoba and British Columbia.

9 MR. CHRISTIAN MONNIN: Okay. And why
10 don't we talk about what these entities do, factually
11 speaking? MPI does not invest in infrastructure,
12 correct?

13 MR. WARD KEITH: That's correct.

14 MR. CHRISTIAN MONNIN: ICBC does, and
15 you're aware of that?

16 MR. WARD KEITH: That's correct.

17 MR. CHRISTIAN MONNIN: So you're
18 therefore aware of their Infrastructure Investment
19 Program, correct?

20 MR. WARD KEITH: Yes, I am.

21 MR. CHRISTIAN MONNIN: Are you aware
22 of how much ICBC has invested in infrastructure?

23 MR. WARD KEITH: I don't have that
24 information handy, and I haven't had a chance to read
25 what's in front of me. But I am aware, in general

1 terms, of the amount of money that's invested by ICBC
2 and the way that they measure their return on
3 investment for that.

4 MR. CHRISTIAN MONNIN: And let's work
5 with that. On the general terms, how much -- you're
6 aware of how much have they invested in
7 infrastructure?

8 MR. WARD KEITH: I'd just like to pull
9 up the reference.

10

11 (BRIEF PAUSE)

12

13 MR. WARD KEITH: Based on the last
14 data that we were available -- able to obtain from the
15 public record, based on 2015, it was seven (7) point -
16 - \$7.9 million. And this is at LP-14, page 5.

17 MR. CHRISTIAN MONNIN: Now, I would
18 suggest you that since 1990, ICBC has invested \$150
19 million in road infrastructure, would -- would -- have
20 you heard of that before?

21 MR. WARD KEITH: I have not heard of
22 that. I have no reason to question your math, but I
23 cannot -- not confirm that.

24 MR. CHRISTIAN MONNIN: And you
25 indicated that you also aware what the rate of return

1 is on these investments?

2 MR. WARD KEITH: I'm generally aware
3 of their rate of return in that it is a positive rate
4 of return. I don't have the specifics with me.

5 MR. CHRISTIAN MONNIN: Diana, if you
6 go to Tab 3 of our book of documents. It's a scre --
7 a screen grab from ICBC.

8

9 (BRIEF PAUSE)

10

11 MR. MATTHEW GHIKAS: And I should say,
12 Mr. Chairman, that these documents, we received these
13 just at the commencement of the cross, and so I've --
14 I've advised Mr. Keith to take as much time as he
15 needs to read them.

16 MR. CHRISTIAN MONNIN: It's -- it's
17 one (1) page.

18 THE CHAIRPERSON: All the time of --
19 in the world, so. I -- I don't -- if we need -- and
20 if we need a break, maybe Mr. Monnin can indicate
21 what, perhaps, he'll be referring to, and we'll give
22 the witness an opportunity to review it during a
23 break.

24 MR. CHRISTIAN MONNIN: In -- in fact,
25 it's -- Tab 3 is a one (1) page document, and Tab 4 is

1 a lengthier document, but it's the report that is
2 referred to as Tab 1. I'm not going to ask any
3 questions of the report. And I appreciate my friend's
4 comment certainly out of fairness. It's just to
5 provide a complete record of what this one (1) page
6 document is referring to.

7

8

(BRIEF PAUSE)

9

10 MR. WARD KEITH: Sorry, was that a
11 question?

12 MR. CHRISTIAN MONNIN: Just, have --
13 have you read -- have -- are you --

14 MR. WARD KEITH: I've read the one (1)
15 pager.

16 MR. CHRISTIAN MONNIN: Okay.

17 MR. WARD KEITH: Yeah.

18 MR. CHRISTIAN MONNIN: Have you seen
19 that before?

20 MR. WARD KEITH: I have not seen this
21 particular one (1) pager before.

22 MR. CHRISTIAN MONNIN: Okay. You've
23 been with MPI for thirty-three (33) years, but have
24 you been aware that ICBC has been doing this?

25 MR. WARD KEITH: I'm aware that ICBC

1 has a road improvement program.

2 I'm aware that they spend several
3 million dollars a year on that program.

4 I'm aware that they have a process for
5 receiving suggestions for municipalities for funding
6 to support the road and road improvement program that
7 they have.

8 I'm aware that there is some form of
9 cost share model to which the municipality must invest
10 a certain amount of money towards the road
11 improvement, or the infrastructure improvement, which
12 is then supplemented by the incorporated -- Insurance
13 Corporation of British Columbia.

14 And I'm aware that on an overall basis,
15 they have found that the return on investment from
16 that program produces a positive outcome.

17 We're aware of that program, but it's -
18 - it's the Corporation's position, as is my
19 understanding from our legal counsel, that investing
20 in infrastructure programs of this nature is not
21 within the Corporation's mandate and is not been
22 sanctioned by government.

23 MR. CHRISTIAN MONNIN: And are you
24 aware that the -- the Road Improvement that ICBC --
25 the Road Improve -- Road Improvement Prog -- Program,

1 as it says here, has lead to an average of 24 percent
2 reduction in severe crashes?

3 MR. WARD KEITH: I -- I wasn't aware
4 of the specific return on investment, but I was aware
5 that the Insurance Corporation of British Columbia is
6 satisfied that the money that they invest in these --
7 in these infrastructure improvements does have a
8 positive return in terms of reducing collisions.

9 I think the -- the soundness of the
10 program in British Columbia is not in question. I
11 have no reason to question it. What's in question is
12 whether or not there is a mandate within Manitoba for
13 Manitoba Public Insurance to pursue similar
14 infrastructure investments.

15 And my understanding, based on the
16 advice of our legal counsel, is that there is no such
17 mandate. And that's the -- that's the -- that's the
18 conclusion that we reach without looking and
19 regardless of this -- the -- the satisfactory results
20 that may come from the British Columbia model.

21 MR. CHRISTIAN MONNIN: Thank you, sir.
22 Diana, if you can go to LP Loss Prevention page 23.

23 I'm sure you're thrilled to see this
24 come up again. This is the -- this -- the table with
25 downward trending motor vehicle fatalities and

1 collisions.

2

3

(BRIEF PAUSE)

4

5 MR. CHRISTIAN MONNIN: If you get a --
6 a -- Diana, also pick up Bike Winnipeg IR MPI-1-3.

7

8 When we're -- earlier on, sir, we were
9 talking about the high collision areas, and you had
10 indicated when you tease out the -- the VRUs, it has
11 an impact on -- on the data that you're getting. And
12 the same thing applies to this overall trend of --
13 downward trend of fatalities, and that's...

13

14

(BRIEF PAUSE)

15

16 MR. CHRISTIAN MONNIN: There we go.
17 Thank you. And here, what we've done, sir, is we've
18 teased out -- and we were talking about trend lines as
19 well, earlier. We've teased out the number of
20 cyclists killed in motor vehicle collisions from
21 '01/'02 to -- '16.

22

23 And would you agree with me that trend
24 line on its own is -- is is auguring upwards?

24

25 MR. WARD KEITH: Yes, I would agree
with that based on the trend line that's been

1 provided.

2 MR. CHRISTIAN MONNIN: And the next
3 slide -- the next -- page 4 of 9, please, Diana.

4 And here we have number of pedestrians
5 killed in motor vehicle collisions. It'd be a hard
6 stretch to say that it's climbing, but it's remained
7 flat. Would you agree with that?

8 MR. WARD KEITH: Yes, I would agree
9 with that. I do think, though, that when we look at
10 trend lines with respect to this type of a population,
11 what is relevant as well is the number of actual
12 pedestrians killed and cyclists killed.

13 And again, I don't want my testimony to
14 be perceived that any fatality is okay, but I do think
15 that when -- and for -- for instance, for cyclists,
16 when we're looking at a range of between two (2) and
17 five (5) fatalities a year, that you know that the
18 trend line may not be completely representative of
19 what's happening.

20 I think we also need to compare this
21 data as we do to the broader collision data with the
22 number of cyclists that are on the road. And we do
23 know from Bike Winnipeg's own data that there has been
24 an increase in cycling activity in this province. I
25 think it's very positive. It feeds -- speaks to our

1 act of transportation.

2 But as cycling continues to climb,
3 particularly commuter-based cycling, when cyclists are
4 on the road at peak times when the majority of the
5 vehicular traffic is, I think that has to be
6 considered as well in order to assess the -- sort of
7 the true relativity of the numbers here,
8 notwithstanding that any fatality, any serious injury
9 is one (1) too many.

10 MR. CHRISTIAN MONNIN: Diana, if you'd
11 go to page 6, please, 6 of 9. And I appreciate your
12 evidence, sir, you just gave, but here we're again
13 seeing a -- a positive trend line going up with number
14 of cyclists injured in motor vehicle collisions,
15 correct?

16 MR. WARD KEITH: Yes.

17 MR. CHRISTIAN MONNIN: Next, 7 of 9,
18 please. And, again, the trend line is going up here
19 with regards to the number pedestrians injured in
20 motor vehicle collisions, correct?

21 MR. WARD KEITH: The trend line is
22 going up. Yes.

23 MR. CHRISTIAN MONNIN: And next -- the
24 next page over. And the trend line again is going up,
25 number of drivers and vulnerable road users injured in

1 motor vehicle collisions, correct?

2

3

(BRIEF PAUSE)

4

5

MR. WARD KEITH: Yes. I do think,
6 though, we do have to be careful with this data. And
7 if you'll bear with me just for a second to explain
8 why, there was a change made to our way of accounting
9 for fatal -- sorry, for injuries and fatalities, for
10 that matter, in the traffic collision statistics data
11 whereby in 2011, we began using two (2) separate data
12 sources.

13

And it's particularly relevant for
14 injury -- injury tracking, because what we found is
15 that previously, when the traffic collision statistics
16 report was driven strictly by police-reported
17 incidents, when you have property damage only claims,
18 or where you have minor injury claims, often those
19 went unreported to the police, and were therefore
20 underreported in the traffic collision statistics
21 report.

22

In 2011, we changed that process. So
23 as I mentioned this morning, and in, I believe it was
24 Board cross, we use not just the police-reported data,
25 but also claims data coming from our own claims

1 system, and so that helps to remove the
2 underrepresentation that previously existed for some
3 of the smaller types of claims, minor injury claims,
4 modest injury claims, and property damage claims that
5 previously went unreported to the police.

6 MR. CHRISTIAN MONNIN: Diana, if you
7 can go back to page 23 of the LP Loss Prevention. And
8 starting at line 12, nationally, Manitoba has been
9 improving in its ranking against other Canadian
10 jurisdictions and the Canadian average based on 2014
11 motor vehicle collision statistics from Transport
12 Canada.

13 Now, this graph here pertains
14 specifically to fatal collisions and people killed.
15 And sir, you're -- you're familiar with -- you're
16 familiar with -- just a second, here -- with the rate-
17 based indicator from the OECD that the fatalities and
18 the serious injuries per billion kilometres travelled?

19 MR. WARD KEITH: Yes.

20 MR. CHRISTIAN MONNIN: And have you --
21 has the -- has the -- the Corporation prepared that
22 assessment?

23 MR. WARD KEITH: We have not prepared
24 that assessment, that -- but that assessment is
25 included in the Transport Canada data that -- data

1 that gets released annually.

2 MR. CHRISTIAN MONNIN: And are you
3 familiar with that data from Transport Canada?

4 MR. WARD KEITH: I'm familiar with it.

5 MR. CHRISTIAN MONNIN: Okay.

6 MR. WARD KEITH: I hope you're not
7 going to ask me statistics from it, but I'm familiar
8 with it.

9 MR. CHRISTIAN MONNIN: Well, I might
10 help you out with that. How is Manitoba ranking with
11 regards to the fatalities and serious injuries per
12 billion kilometres travelled?

13 MR. WARD KEITH: Well, you'll have to
14 help me out with a -- a reference, please.

15 MR. CHRISTIAN MONNIN: At Tab 2,
16 please, of the book of documents. Now being a -- a
17 modest Intervenor, we can't go and -- and get our own
18 expert, so what we've done here is we've gone to SGI,
19 Saskatchewan Government Insurance. They have a
20 website. And I've gone through the years to compare
21 other provinces, and this is -- the first document is
22 2005, Saskatchewan traffic safety accidents facts.

23 And Diana, if you go to the third page
24 in, there they have comparative -- a comparison of
25 other provinces. And we started in 2005, and that's

1 casualty rates per billion vehicle kilometres. And
2 there's a little legend where the little dots are
3 injuries, and the black dots are fatalities.

4 And this one would put Manitoba at the
5 third highest ranking for casualty rates per billion
6 vehicle kilometres. That's in 2005. I appreciate
7 that. Do you agree with that?

8 MR. MATTHEW GHIKAS: May I just leap
9 in here, Mr. Chairman? Maybe the first question that
10 needs come to the witness is whether he is -- whether
11 he's, you know, seen and been able to verify the
12 numbers, because I'm not sure if my friend is asking
13 him to just accept what's written on the page --

14 THE CHAIRPERSON: Yeah --

15 MR. MATTHEW GHIKAS: -- the fact that
16 it's on the page, or whether, you know, he can verify
17 the facts, because my understanding is Mr. Keith
18 hasn't verified the numbers on these pages.

19 THE CHAIRPERSON: Well, I -- I don't
20 think, Mr. Keith has had more than thirty (30) seconds
21 to look at this, so I think that, you know what, let's
22 have a break for ten (10) minutes or fifteen (15)
23 minutes. Mr. Keith can review it, and he can
24 determine if he's seen it, or what comments he can
25 make on the document.

1 I think he -- the witness should have
2 an opportunity to review it before he's asked any
3 questions on it.

4 MR. MATTHEW GHIKAS: So I -- I can say
5 Mr. Keith appears to have been able to dig out his
6 independent sources of information. So if Mr. Monnin
7 wants to ask questions just about the statistics, we
8 can see how it goes, but --

9 THE CHAIRPERSON: Okay.

10 MR. MATTHEW GHIKAS: -- I'm in your
11 hands.

12 THE CHAIRPERSON: That's fine. I -- I
13 just wanted to give him an opportunity to -- to look
14 at it with --

15 MR. MATTHEW GHIKAS: And I -- I do
16 appreciate that. And maybe if -- if things start to
17 go sideways, I'll --

18 THE CHAIRPERSON: Yeah.

19 MR. MATTHEW GHIKAS: -- you'll be
20 hearing from me again. Thanks.

21 THE CHAIRPERSON: Okay. Mr.
22 Monnin...?

23

24 CONTINUED BY MR. CHRISTIAN MONNIN:

25 MR. CHRISTIAN MONNIN: Mr. -- sorry --

1 MR. WARD KEITH: Sorry. Sorry.

2

3 (BRIEF PAUSE)

4

5 MR. CHRISTIAN MONNIN: Is this
6 information made in 2005 or in 2014, is this
7 information that you would be familiar with -- with --
8 with respect to Manitoba's ranking on casualty rates
9 per billion vehicle kilometres as part of your job?

10 MR. WARD KEITH: So, Mr. Monnin, I'm
11 not familiar with the statistics that are produced by
12 Saskatchewan and how they do their comparisons to
13 other provinces, What I -- what we do rely on is the
14 statistics -- statistics that are produced by
15 Transport Canada.

16 MR. CHRISTIAN MONNIN: And then that's
17 exactly what this is. So are you familiar with the
18 information from Transport Canada with regards to
19 casualty rates per billion vehicle kilometres?

20 MR. WARD KEITH: Yes, I am, and I
21 believe in this year's application, if I'm not
22 mistaken, if you just bear with me for a minute.

23

24 (BRIEF PAUSE)

25

1 MR. CHRISTIAN MONNIN: Perhaps we can
2 short-circuit like this, counsel. If I can get an
3 undertaking from MPI to provide this information with
4 respect to MPI that -- that the casually rates per
5 billion vehicle kilometres for MPI from the years 2005
6 til current from Transport Canada.

7 MR. STEVE SCARFONE: Well, I don't
8 know if we need that undertaking, Mr. Monnin. He has
9 it right before him.

10 MR. WARD KEITH: In the -- if I can,
11 in the rate application this year at LP, attachment A,
12 is the interest juris -- jurisdictional comparison of
13 casualty rates. So we'll do you better by eleven (11)
14 years, or ten (10) years. And this includes data up
15 to 2014. It also includes 2005 data.

16 And so I -- we can do a comparison to
17 see if the data is similar to as was reported by
18 Saskatchewan, but what -- what this data says is that
19 in 2014 -- and again, the 2015 date is not yet
20 available -- in 2014, Manitoba did rank the fourth
21 lowest in terms of fatalities per billion motor
22 vehicle kilometres travelled and rate -- rate --
23 ranked eighth with respect to injuries using that same
24 rate-based measurement.

25 The issue with respect to the rates,

1 the -- the injury rates, and I -- I don't know if
2 people -- there it is. Perfect. It's in front of me.

3 As you'll see, I mean, the -- the
4 injury rate is very significantly different in
5 Manitoba compared to other jurisdictions, and I would
6 again go back to my explanation that I provided just a
7 few minutes ago. Other jurisdictions, for comparison
8 purposes across the jurisdictions use data that is
9 provided by traffic accident reports filed with the
10 police. And we have changed that to include a second
11 data source in 2011.

12 So what you can see if you look at this
13 chart is in 2012 -- midway through 2011, and then 2012
14 and beyond, the injury rate based on kilometres
15 travelled is much higher than other jurisdictions. I
16 do not believe that that is an indication that the
17 injuries or the injury counts are all that high -- all
18 that much out of whack compared to other
19 jurisdictions. What it is is a feature of them, but
20 the way that we measure that data. And I believe our
21 measuring of data is more accurate, and other
22 jurisdictions are likely underrepresented.

23

24 CONTINUED BY MR. CHRISTIAN MONNIN:

25 MR. CHRISTIAN MONNIN: Are -- are you

1 able to provide a little bit more context why you
2 believe your manner of measuring is more accurate than
3 other jurisdictions?

4 MR. WARD KEITH: Sure. Because we
5 have the fortune of running the public insurance model
6 here, and so when in -- people are injure -- injured
7 in collisions, regardless of the severity of the
8 collisions, we are -- we -- we receive those claims.
9 And the difference is, in other jurisdictions, that
10 they rely exclusively on police reports that are filed
11 with the licensing authorities.

12 So what we have found in Manitoba is
13 that previous to 2011, the actual count of property
14 damage claims and the actual count of minor and
15 moderate injury claims was significantly underreported
16 when we compared the MPI claims data to the police
17 data, because people tended not to report to the
18 police for minor injuries or property damages only.

19 So what we did in 2011 is we -- we
20 started leveraging both data sources to provide a more
21 complete dataset. That's what gave us the accurate
22 numbers. We know that other jurisdictions are
23 continuing to rely on police-reported data only, very
24 likely because in a private insurance model, they may
25 not have access to the injury claims that are

1 presented to each insurer.

2 MR. CHRISTIAN MONNIN: And so that
3 distinction would only be relevant to jurisdictions
4 that are private, not public?

5 MR. WARD KEITH: No, not necessarily.
6 I don't know whether the other pub -- public
7 jurisdictions are also using their claims data. I
8 don't believe that to be the case, but in Manitoba, we
9 are certainly using the second dataset.

10 MR. CHRISTIAN MONNIN: Thank you, sir.
11 Mr. Chair, I'm almost done. I have about five (5)
12 minutes.

13 MPI Number 4, the Road Safety Plan,
14 please. Firstly, on behalf of Bike Winnipeg, we
15 endorse the policy. It's a good step in the right
16 direction, and we thank you for the good work that's
17 been done with regards to this plan.

18 MR. WARD KEITH: Thank you.

19 MR. CHRISTIAN MONNIN: In light of
20 this plan is -- is MPI changing any of its safety plan
21 to adjust this new policy?

22 MR. WARD KEITH: At this point we've
23 not changed any of our initiatives on our safety
24 plans. We will continue to work as part of this
25 committee. As you've pointed out, we are a leader in

1 this committee, but our purpose is not to enter this
2 committee for the purpose of MPI funding safe speed,
3 safe roads, safe road users, and safer vehicles. We
4 rely on collaboration with other stakeholders who have
5 a more direct responsibility for those functions.

6 So we will guide, we will share, we
7 will collaborate. We will support through provision
8 of data that we have available through the provision
9 of -- provision of broader data that we can collect
10 from all the stakeholders. But there is not
11 necessarily an indication that our mandate or our --
12 our -- types of initiatives that we look at is going
13 to change as a result of our involvement in
14 this committee.

15 MR. CHRISTIAN MONNIN: So in light of
16 the -- the advent of this plan, we were talking about
17 MPI's mandate previously. Is it the Corporation's
18 position that its mandate has not changed in light of
19 this plan?

20 MR. WARD KEITH: That's right.

21 MR. CHRISTIAN MONNIN: One (1) of the
22 Orders from the PUB, Order 10.29, that's your slide
23 deck 36, no need to go there. But it was to file the
24 road safety plan prepared by the provincial road
25 safety committee and produce a witness from the

1 Government of Manitoba and the 2018 GRA hearings to
2 provide a presentation of the road safety plan. The
3 plan's been filed.

4 The response to the second piece was
5 MPI lacks authority to compel the Government of
6 Manitoba to produce a witness to provide a
7 presentation.

8 Did MPI ask anyone from the province to
9 come?

10 MR. WARD KEITH: I'm not aware if
11 anyone asked the province to come.

12 MR. CHRISTIAN MONNIN: Thank you. No
13 further questions.

14 THE CHAIRPERSON: Mr. Williams, I'm
15 just wondering if you wanted to -- I'm -- I'm
16 concerned about timing from a number of different
17 aspects. I'm just wondering if you wanted to start.
18 I don't know Mr. Keith's availability for tomorrow if
19 you don't finish today, and I think we need to discuss
20 that. We have another panel coming, the -- the first
21 panel coming back as well that we need to deal with.
22 So I'd certainly ask for your comments.

23 MR. BYRON WILLIAMS: Well, I'll --
24 I'll offer my expectation and I would note that time
25 estimates have not been that accurate today, so I'll

1 just say that I certainly have more than twenty (20)
2 minutes. And I'm -- I'm not confident -- I'm going to
3 guess that I have in the range of somewhere between
4 forty-five (45) minutes and an hour, but it could be a
5 bit higher. So that's the risk just in terms of
6 ourselves.

7 We are prepared to go now. We do have
8 preparation we need to do for tomorrow as well. So
9 we're kind -- we're looking for advice from the
10 Corporation as well. I could start and at least get
11 us to four o'clock gets -- if -- if that works for the
12 Corporation, but --

13 MR. MATTHEW GHIKAS: Our -- our
14 preference would be to -- to start and get underway,
15 Mr. Chairman. Mr. Keith has a memorial service he'd
16 like to go to in the afternoon tomorrow, so I -- it
17 doesn't sound like we're going to be going that far
18 even if we go over, but --

19 THE CHAIRPERSON: No, no. I -- I
20 would assume that Mr. Keith would be done in the -- in
21 the morning. I think the panel may have some
22 questions as well. Why don't we go, and you can
23 determine if there's a suitable break for you in the
24 questioning. We'll go for twenty (20) minutes or half
25 an hour now.

1 MR. BYRON WILLIAMS: And thank you.

2

3 (BRIEF PAUSE)

4

5 MR. CHRISTIAN MONNIN: Mr. Chair, Mr.
6 Christle, the Board secretary, has been kind enough to
7 remind me that I haven't read into the record the
8 exhibit, which was the book of documents --

9 THE CHAIRPERSON: Okay.

10 MR. CHRISTIAN MONNIN: -- which would
11 be Bike Winnipeg Number 4.

12 THE CHAIRPERSON: Correct.

13 MR. CHRISTIAN MONNIN: Thank you.

14 THE CHAIRPERSON: Okay. Thank you.

15

16 --- EXHIBIT NO. BW-4: Bike Winnipeg Book of
17 Documents

18

19 CROSS-EXAMINATION BY MR. BYRON WILLIAMS:

20 MR. BYRON WILLIAMS: Good afternoon,
21 Mr. Keith.

22 MR. WARD KEITH: Good afternoon.

23 MR. BYRON WILLIAMS: Just a couple
24 questions to start with in -- in terms of follow-up to
25 your discussion with my friend Mr. Oakes a bit earlier

1 this afternoon. You'll recall a conversation with him
2 in terms of the first seven (7) months of information
3 that you have with regard to results in 2017.

4 MR. WARD KEITH: Yes.

5 MR. BYRON WILLIAMS: And at least as I
6 understood the conversation, within the specific
7 context of fatalities you were indicating that the
8 results in 2017 for the first seven (7) months were
9 improved not only compared to 2016, but also as
10 compared to 2011 through 2015.

11 Did I understand you correctly, sir?

12 MR. WARD KEITH: Yes, you did. For
13 fatal collisions and fatalities --

14 MR. BYRON WILLIAMS: Okay.

15 MR. WARD KEITH: -- and that is
16 specific for the first seven (7) months of those
17 years. Yeah.

18 MR. BYRON WILLIAMS: And we realize
19 that seven (7) months does not make a year; agreed?

20 MR. WARD KEITH: Yes.

21 MR. BYRON WILLIAMS: Sir, I just
22 wanted to take your observations further if you were
23 able to.

24 Does that same observation in terms of
25 the improved results relate to serious injuries as

1 well; namely, that the serious injuries are -- are
2 favourable compared to 2016, as well as to the 2011 to
3 2015 average, sir?

4 MR. WARD KEITH: I don't have that
5 data, Mr. Williams, and I wouldn't be able to comment
6 on it. But my -- I would anticipate that we would see
7 the same return to -- to historic levels prior to
8 2016.

9 MR. BYRON WILLIAMS: Sir, given that
10 you canvassed this issue with Mr. Oakes, would you be
11 able by way of undertaking to provide, focusing on the
12 fatalities as well as the serious injuries as defined
13 by MPI, the results for the first seven (7) months of
14 2017 as compared to 2016 and as compared to the
15 average of 2011 to 2015?

16 MR. WARD KEITH: So for fatalities, I
17 can provide those for the record today. With serious
18 injuries, we can take that as an undertaking. My only
19 concern is that the data may not be readily available.
20 With fatalities, a lot of the tracking if it's done on
21 a preliminary basis is based on the media reports,
22 police reports. And that -- and we feed that through
23 to the claims data. So there's there's not, I don't
24 believe, an easy way to extract on a short-term basis,
25 the serious injuries for the same period.

1 MR. BYRON WILLIAMS: So my
2 understanding is you are able to respond on a
3 preliminary basis for fatalities --

4 MR. WARD KEITH: Yes.

5 MR. BYRON WILLIAMS: -- but not for
6 serious injuries.

7 MR. WARD KEITH: Yes.

8 MR. BYRON WILLIAMS: And that would be
9 satisfactory. And hopefully I don't have to repeat
10 that for the reporter or do I?

11

12 --- UNDERTAKING NO. 23: The Corporation to provide
13 results on fatalities and
14 serious injuries the for
15 the first seven (7) months
16 of 2017 as compared to
17 2016 and as compared to
18 the average of 2011 to
19 2015 (SATISFIED AT PAGE
20 867)

21

22 (BRIEF PAUSE)

23

24 MR. WARD KEITH: Based on very
25 preliminary data, what we see is in -- for the first

1 seven (7) months -- I'm sorry. I've been saying seven
2 (7) months, but it's actually, of course, nine (9)
3 months to the end of September. So I should correct
4 my record from this morning as well. I apologize for
5 that.

6 What we saw is that in 2016 there were
7 twenty-nine (29) fatal crashes. I'm sorry, in 2016,
8 there were seventy (70) fatal crashes to the end of
9 September, compared to forty-seven (47) fatal crashes
10 this year in 2017 for the same nine (9) month period.
11 And in terms of people killed there were seventy-six
12 (76) fatalities in the first nine (9) months of 2016
13 compared to fifty-four (54) fatalities in the first
14 seven (7) -- nine (9) months of 2017.

15 MR. MATTHEW GHIKAS: Perhaps if Mr.
16 Williams is -- does that satisfy?

17 MR. BYRON WILLIAMS: You beat me to
18 the punch, sir. We consider the undertaking
19 satisfied.

20 MR. MATTHEW GHIKAS: So I don't know,
21 madam reporter, if -- if it's easiest to just strike
22 the undertaking, because it was provided or whether or
23 whether, Mr. Chairman, we count that as an undertaking
24 and then consider it satisfied. I'm not sure how that
25 works. Okay. So it's assigned a number.

1 CONTINUED BY MR. BYRON WILLIAMS:

2 MR. BYRON WILLIAMS: And I'll advise
3 you, at the risk of giving evidence, Mr. Keith, that
4 that is the quickest satisfaction of an undertaking
5 that I've had in my professional career.

6 And, sir, I certainly don't wish to
7 call you old because that's clearly not the case, but
8 you've been with MPI for long time, being thirty-three
9 (33) years?

10 MR. WARD KEITH: Yes.

11 MR. BYRON WILLIAMS: And you held some
12 very senior positions related both to road safety and
13 to loss prevention; agreed?

14 MR. WARD KEITH: Yes, agreed.

15 MR. BYRON WILLIAMS: And based upon
16 that lengthy experience in those senior positions
17 you're familiar to a significant degree with some of
18 the history related to efforts at Manitoba Public
19 Insurance in terms of road safety and loss prevention;
20 agreed?

21 MR. WARD KEITH: Agreed.

22 MR. BYRON WILLIAMS: And also you're
23 familiar to some degree with the discussion before the
24 -- the Regulator that is taken place over these many
25 years?

1 MR. WARD KEITH: Yes.

2 MR. BYRON WILLIAMS: And in your
3 opening statement this morning you spoke -- I'm going
4 to suggest a few times you use the word "progress."
5 You recall that, sir?

6 MR. WARD KEITH: Yes.

7 MR. BYRON WILLIAMS: And in terms of
8 progress, presumably you're working from a baseline, a
9 historic baseline, and trying to evaluate how you're
10 moving forward; agreed?

11 MR. WARD KEITH: Yes, agreed.

12 MR. BYRON WILLIAMS: And so it would
13 be fair to look back a few years from your
14 perspective, just to see some of the dialogue that was
15 going on in the regulatory context in terms of the
16 performance of Manitoba Public Insurance.

17 Would that be fair, sir?

18 MR. WARD KEITH: With respect to road
19 safety?

20 MR. BYRON WILLIAMS: Yes.

21 MR. WARD KEITH: Yes.

22 MR. BYRON WILLIAMS: And I neglected,
23 Mr. Chair, to offer a couple of exhibits which were
24 shared with MPI last night. Those would be an excerpt
25 from the evidence of Mavis Johnson from 2013, which we

1 would suggest be marked as MPI -- or, sorry, CAC
2 (Manitoba) Exhibit 8 --

3 THE CHAIRPERSON: Correct.

4 MR. BYRON WILLIAMS: -- as well as an
5 excerpt from a IBM document filed by Manitoba Public
6 Insurance in 2015, an executive summary, which we'd
7 suggest be marked as Exhibit 9.

8 THE CHAIRPERSON: Thank you.

9

10 --- EXHIBIT NO. CAC-8: Excerpt from evidence of
11 Mavis Johnson from 2013

12

13 --- EXHIBIT NO. CAC-9: Excerpt executive summary
14 from IBM document

15

16 CONTINUED BY MR. BYRON WILLIAMS:

17 MR. BYRON WILLIAMS: And Mr. Keith --
18 Mr. Keith, you've -- you've seen those documents?

19 MR. WARD KEITH: Yes, I have.

20 MR. BYRON WILLIAMS: You've memorized
21 them, sir?

22 MR. WARD KEITH: Completely.

23 MR. BYRON WILLIAMS: Okay. You're
24 familiar with them, at least at a high level, sir?

25 MR. WARD KEITH: Yes

1 MR. BYRON WILLIAMS: And we'll get to
2 them in just a second, but in terms of the current top
3 three (3) priorities for Manitoba Public Insurance,
4 you canvassed those with my friend -- my learned
5 friend Board counsel, but they currently are
6 distracted driving, unsafe speed, and impaired
7 driving. Agreed, sir?

8 MR. WARD KEITH: Agreed.

9 MR. BYRON WILLIAMS: And you'll agree
10 with me that for many years the top three (3) were
11 occupant restraint, as well as unsafe speed, and
12 impaired driving?

13 MR. WARD KEITH: Yes.

14 MR. BYRON WILLIAMS: So that's been a
15 bit of a change. Occupant restraint while still being
16 important to Manitoba Public Insurance, has moved down
17 the queue?

18 MR. WARD KEITH: Yes.

19 MR. BYRON WILLIAMS: And distracted
20 driving has risen to the top?

21 MR. WARD KEITH: Based on data up
22 until 2015, yes.

23 MR. BYRON WILLIAMS: Now, directing
24 your attention to Exhibit 8, being the excerpt from
25 the evidence of Ms. Johnson back in 2013. And if you

1 could go to the, hopefully, the fourth page.

2 At a high level, Mr. Keith, you'll
3 agree with me, not as to content, but as to form, that
4 Ms. Johnson had four (4) key messages in her
5 presentation in 2013? She identified four (4) key
6 messages; agreed?

7 MR. WARD KEITH: Yes.

8 MR. BYRON WILLIAMS: One (1) of them
9 was the importance of using a safe system approach
10 which would yield a realistic potential to reduce
11 claims costs; agreed?

12 MR. WARD KEITH: Agreed.

13 MR. BYRON WILLIAMS: The second was
14 that at the time her observation was that the ability
15 of MPI to optimize road safety expenditures was
16 impeded by the absence of a road safety strategy;
17 correct?

18 MR. WARD KEITH: That was her
19 observation, yes.

20 MR. BYRON WILLIAMS: Thirdly, within
21 the context of an auto insurer, from her perspective
22 it was important to critically evaluate costs and
23 returns on investment of individual programs; agreed?

24 MR. WARD KEITH: Yes.

25 MR. BYRON WILLIAMS: And her fourth

1 message at that point in time was that at that time
2 there was little information to demonstrate that
3 individual programs or portfolios were optimally
4 designed; agreed?

5 MR. WARD KEITH: Yes.

6 MR. BYRON WILLIAMS: So we take that
7 dialogue, sir, a couple years forward, and we'll --
8 will -- we go to Exhibit Number 9, which is the IBM
9 document. And, Diana, if you can take us to page 3 of
10 that document.

11 And, Mr. Keith, just to orientate
12 ourselves if that's a word, this is a document, an
13 executive summary of an IBM report that was filed by
14 Manitoba Public Insurance in 2015; agreed?

15 MR. WARD KEITH: Yes.

16 MR. BYRON WILLIAMS: And while IBM
17 uses the word "weaknesses" here, let's substitute for
18 the word "weaknesses." Let's use the word
19 "challenges." You're fine with that, sir?

20 MR. WARD KEITH: Yes.

21 MR. BYRON WILLIAMS: And at that point
22 in time IBM, in its report for Manitoba Public
23 Insurance, identified four (4) significant challenges
24 being for the point -- the -- for brevity purposes
25 unclear loss prevention objectives, lack of loss

1 prevention management governance, inconsistent
2 measurement, and as well as challenges with data
3 access and maturity. Would that be fair, sir?

4 MR. WARD KEITH: Yes.

5 MR. BYRON WILLIAMS: And so, sir, when
6 you speak of progress would it be fair to suggest that
7 you're -- you're looking at where Manitoba Public
8 Insurance was circa about 2013 to 2015 and -- and how
9 it has moved both individually, but as part of a
10 broader provincial strategy. Is that what you're
11 speaking of, sir?

12 MR. WARD KEITH: Yes, I would go back
13 even a little further. And, really, my thought -- my
14 the intent of my messaging there was as it relates to
15 the extent to which we formalized our loss prevention
16 and -- and road safety programs and strategies. So if
17 I look back at the testimony of Ms. Johnson, who is
18 clearly an expert in road safety, as was Jennifer
19 Kroeker-Hall, her perc -- her -- her observation of
20 the need for a safe systems approach is an observation
21 that we support and we supported back then.

22 The challenge for us back then was the
23 extent to which, as the auto insurer within this
24 context, we were able to influence a safe systems
25 approach. It's not that we didn't support that

1 concept, it's just the ability to influence it.

2 So what I mean by "progress" is the --
3 first of all, the work that was done to create and
4 formalize the three (3) year operational plan, as well
5 as the frameworks for research, priority setting,
6 program development, and program evaluation.

7 And then there was a second iteration
8 which was the -- the desire to create an overall loss
9 prevention strategy and framework for which we engaged
10 IBM and worked on that process. So it is -- it is the
11 progress in achieving those outcomes and formalizing
12 those processes and those frameworks that I'm
13 referring to.

14 MR. BYRON WILLIAMS: And temporally,
15 sir, we're talking the last three (3) to five (5)
16 years; agreed?

17 MR. WARD KEITH: Yes. Yeah, that's
18 fair.

19 MR. BYRON WILLIAMS: And when you use
20 the word "progress," by no means are you suggesting
21 that we've reached nirvana?

22 MR. WARD KEITH: I'm not suggesting
23 that.

24 MR. BYRON WILLIAMS: There's still
25 significant strides that need to be undertaken in

1 improving the reasonableness and justification of your
2 approach?

3 MR. WARD KEITH: Well, what I meant is
4 we haven't reached nirvana in terms of achieving what
5 we all want, which is significant reductions in
6 collisions, fatalities, and serious injuries.

7 I do believe our approach is maturing.
8 We are continuing to evolve it. We are making
9 progress every year. We are presenting evidence at the
10 -- at -- at -- in this forum to demonstrate our
11 progress in that regard. But at the end of the day,
12 when people are still being killed on our roads, our
13 job isn't done, nor is any other stakeholder's job
14 done when it comes to road safety.

15 MR. BYRON WILLIAMS: And obviously we
16 all take a step back when we see the 2016 results?

17 MR. WARD KEITH: M-hm.

18 MR. BYRON WILLIAMS: Okay. Just to
19 dissect those -- that last answer, and recognizing the
20 time, sir, I interpreted you to be saying two (2)
21 things. One (1) is that we're definitely not there in
22 terms of the unnecessary and tragic social and
23 economic costs of accidents; agreed?

24 MR. WARD KEITH: We're -- we're not
25 there as a jurisdiction and we're not there in terms

1 of the role that we play towards that, yes.

2 MR. BYRON WILLIAMS: Okay. And that's
3 the second point. There are -- there are still
4 significant opportunities for Manitoba Public
5 Insurance going forward to -- to improve and evolve as
6 new iterations of learning become available; agreed?

7 MR. WARD KEITH: Well, I would say
8 there is always opportunity to learn and evolve as new
9 iterations of the learning come forward. I would not
10 want to hazard that that means there's significant
11 untapped opportunities in the future. That will be
12 driven by our priority setting process and our
13 research initiatives and our program development
14 framework.

15 MR. BYRON WILLIAMS: So your evidence
16 is, as we stand today, there are no untapped
17 opportunities, sir?

18 MR. WARD KEITH: Well, I -- I think
19 there are always going to be emerging issues and
20 emerging opportunities. I -- what -- what I -- what I
21 was getting at is, I don't believe that there are any
22 initiatives that we are not pursuing today that we
23 ought to be pursuing.

24 But that -- but that as we continue
25 this process of establishing our priorities and

1 examining best practices in other jurisdictions that
2 we are very open to considering new opportunities, new
3 initiatives, if they make business and financial sense
4 to do so.

5 MR. BYRON WILLIAMS: And that would be
6 both on the road safety and the loss prevention side?

7 MR. WARD KEITH: Yes.

8 MR. BYRON WILLIAMS: Okay. Mr. Chair,
9 just noting the time. It's kind of a nice spot to
10 break if that works for the panel.

11 THE CHAIRPERSON: Certainly. We will
12 adjourn until nine o'clock tomorrow morning. I would
13 ask maybe counsel could get together and try and
14 determine how long you'll be, so that we could put the
15 MPI -- the earlier panel on notice as to when they
16 should be returning.

17 Mr. Ghikas, you want to...

18 MR. MATTHEW GHIKAS: I just had one
19 (1) undertaking to file, Mr. Chairman.

20 THE CHAIRPERSON: Okay. Thank you.

21 MR. MATTHEW GHIKAS: This is
22 Undertaking Number 2, and it will be MPI Exhibit 15.
23 And it is regarding -- just confirming that the ALM
24 study will be conducted by Mercer Canada Limited.

25

1 --- EXHIBIT NO. MPI-15: Confirmation that ALM
2 study to be conducted by
3 Mercer Canada Limited
4

5 THE CHAIRPERSON: Thank you.

6 MR. MATTHEW GHIKAS: Thanks. Paper
7 copies will be circulated.

8 THE CHAIRPERSON: Thank you. Thank
9 you all. We'll see you tomorrow morning at nine
10 o'clock.
11

12 --- Upon adjourning at 4:01 p.m.
13

14 Certified Correct,
15
16
17 _____

18 Cheryl Lavigne, Ms.
19
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25