



September 14, 2021

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**Re: August 23, 2021, Regulatory Posting 21-MTO075 regarding Bus Driver Responsibility for Seat Belt Usage**

Ontario Motor Coach Association (OMCA) is pleased to be able to respond to the MTO's proposed introduction of a regulatory amendment to HTA Regulation 613, that would exempt bus drivers from the requirement to secure children between the ages of eight and 16 years of age.

**The Challenges:**

Safety is a major concern for our members. The current law draws away the driver's focus on traffic and fellow motorists out on the streets and roads if they must ensure the young passengers onboard are all always wearing the seatbelts. The driver's main focus should always be the safe operation of the vehicle they are driving.

Capacity onboard the vehicle is too large for one driver to be responsible for. Most full-size motor coaches hold up to 56 passengers. Double decker style motor coaches can hold up to 80 passengers.

Passenger identification is not required by charter motor coach companies; therefore, drivers are unaware of the age of each passenger onboard.

Enforceability is an issue when drivers are not permitted to touch children and assist them with engaging the seat belt.

Vehicle design and size is another challenge. Most of the motor coaches are 45 feet long. It would be difficult for a driver to ensure seatbelt compliance when there are 14 rows of seats behind the driver. And seat design onboard motor coaches make it impossible for the driver to visually see if every passenger is buckled up.

**Our Position:**

OMCA strongly supports the proposed exemption of bus drivers from the requirements imposed in s.106(4). This regulatory amendment will ensure that bus drivers focus on the safe operation of the vehicle they are driving, and not on the requirements to secure children in their seatbelts. Based on passenger numbers, it would be very difficult for a bus driver to ensure up to 80 children are wearing their seatbelts, along with knowing all the ages of the passengers onboard. Furthermore, the distractions, enforceability and vehicle design all support the reason OMCA supports this proposed regulatory amendment.

Like our colleagues at School Bus Ontario, we also support the suggestion that this exemption should be applied to all motor coaches, and minibuses, with a manufacturer's Gross Vehicle Weight Rating of 4,536 kg or more so that it includes all bus types.

OMCA supports the use of signage and audio reminders on buses, but flexibility is needed for both. The driver exemption should not be contingent on the sticker being visible. If a bus company fails to display the reminder sticker, the company should be penalized, not the driver. In addition, audio announcements will not work on school buses, so signage is the best and only option. On motor coaches, charters and tours typically involve one to 5 pick ups on average, so an audio or verbal announcement from the bus driver is possible.

**Conclusion:**

OMCA remains strongly supportive of the safety and well being of all passenger's onboard motor coaches, mini-buses, school buses, and vans, and we look forward to working with MTO going forward to ensure seamless implementation of the proposed regulation amendments.

Should you have any questions with regards to our position or any of the issues raised in this submission I would be pleased to discuss them with you at your convenience.

Sincerely,

Ray Cherrey  
Safety and Regulatory Affairs Strategist  
Ontario Motor Coach Association