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BY-LAW ENACTMENT MINISTRY OF TRANSPORTATION DRIVER CERTIFICATION PROGRAM

The Transportation Services Committee recommends the adoption of the recommendations contained in the following report dated September 1, 2010, from the Commissioner of Transportation Services.

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council enact a by-law which endorses York Region Transit's application to the Ministry of Transportation for the implementation of the Driver Training Program, including:
 - a) The designation of authority to York Region Transit's Manager, Operations, as a Recognized Authority Official for the administration of the program that includes York Region Transportation Services and York Regional Police staff who will operate large commercial vehicles requiring restricted drivers license classification C, B, D licenses with Z endorsements.
 - b) The designation of authority to the Recognized Authority Official to appoint individuals as Signing Authority who are qualified to conduct the required training set out in the Region's new Driver Training Program.
2. The Regional Solicitor be directed to prepare the necessary by-law.

2. PURPOSE

This report requests Regional Council approval to enactment a by-law that would give York Region Transit's (YRT) Manager, Operations, the authority to oversee a Driver Certification Program developed under the guidelines of the Ministry of Transportation and to appoint qualified individuals as Signing Authorities to deliver the training program to York Region Transportation Services and York Regional Police (YRP) staff requiring restricted licenses as identified by the Ministry of Transportation.

3. BACKGROUND

The Region does not have the authority to upgrade or renew restricted license classifications for employees required to operate transit buses, trucks, snow ploughs, police coach buses and tactical vehicles

YRT plans to implement a Driver Certification Program including the appointment of a Signing Authority for the purpose of training staff for large commercial vehicles that require a restricted license such as B, C, D licenses with Z endorsements, and to have the ability to upgrade or renew their license. YRT's Operations staff is required to have a valid BZ license.

Other sections within Transportation Services and YRP require these restricted licences to operate equipment specific to their business. This equipment includes vehicle types such as snow ploughs, coach buses and tactical vehicles. Both Roads and YRP staff have indicated to YRT that they would like to be included in YRT's program. A Safety and Training section within YRT's Operations group has been supporting these areas to some degree for approximately 12 months.

On a regular basis, YRP requests the use of YRT Operations staff to operate their coach buses for special events. In some cases, a YRT inspector can be outsourced up to two or three days at a time, reducing YRT's ability to administer daily transit operations.

In July 2010, YRT staff submitted an application to the Ministry of Transportation, with a complete training plan, seeking signing authority. The application identified YRT, Roads and Police and indicated YRT's Manager of Operations as the position to receive the status of Registered Authority and the Safety and Training Coordinator position as the Signing Authority. The Ministry advised that YRT's Manager of Operations could not be identified as the Registered Authority for all of Transportation Services and YRP unless a by-law was enacted giving the authority to YRT's Manager of Operations to oversee the administration of the program for these functional areas. Not including YRT, individually, the other areas of Transportation Services and YRP would not likely qualify for this appointment as there is a minimum requirement of 25 license upgrades or renewals annually.

4. ANALYSIS AND OPTIONS

Select York Region Transportation Services and YRP staff require restricted licenses such as B, C, D, with Z endorsements to operate large commercial vehicles such as buses, snow ploughs and other specialized equipment in order to execute their job functions

The enactment of this by-law will enable YRT to implement its Driver Certification Program including the execution of Ministry-required training, testing and the issuances of restricted licenses to those Transportation Services and YRP staff requiring restricted licenses.

YRT's Manager of Operations' position was identified as the Registered Authority because 75 to 80% of the licenses being upgraded or renewed would be related to the operation of transit vehicles (C and B classifications, specifically). This position would be responsible to oversee the administration of the program and the person in the position must hold a valid Ontario driver's license. The Signing Authority is a person who has successfully completed all requirements identified by the MTO for such a designation.

The Signing Authority will train staff in accordance with the MTO requirements and will be able to upgrade and renew employee classified driver licenses

Currently, staff seek outside agencies to provide the required training on an individual basis, however, the classroom and practical portions of the training do not necessarily follow the requirements of the MTO and the individual is not being trained on the vehicle type that is specific to their job function. Most agencies use school buses without airbrakes and transport vehicles. The employee is then required to take a day off work to attend the Ministry's office to complete the necessary testing.

Benefits to implementing this program are:

- Staff will receive the correct training before operating Region-owned heavy equipment.
- Staff will have the benefit of training on specific vehicle types associated with their job functions.
- The Signing Authority will be able to obtain driver abstracts for employees to verify their license standing with the MTO.
- The in-house training and recording-keeping will reduce risk to the Region by showing due diligence in the case of an accident claim. The program will be supported by the MTO.
- Staff will have the opportunity to cross-train their employees on various type of heavy vehicle operation.

- YRT Inspectors will no longer be required to operate YRP coach buses for special events.
- The in-house training and testing performed by a Signing Authority will be counted towards staff's new or renewal license. Under the current process all testing must then be performed again at the MTO-approved Drive Test Center.
- YRT's Manager of Operations will have the authority to appoint additional Signing Authorities as needed.

5. FINANCIAL IMPLICATIONS

There are no significant costs associated with the implementation of the Ministry's Driver Certification Program

The Ministry of Transportation will not charge the Region for materials required to administer this program, i.e.: test documents and manuals. The annual fees and the cost associated with Ministry-compliant audits will be waived as long as YRT remains in good standing with the Ministry.

Staff training is already, or will be, in place regardless of whether or not this program is implemented. The cost associated with staff training is included in the 2010 budget and will be identified in the draft 2011 budget.

6. LOCAL MUNICIPAL IMPACT

Regional staff delivering transportation services, including public transit and winter road maintenance, as well police services to our local municipalities will be trained and licensed in strict accordance with the Ministry of Transportation's guidelines.

7. CONCLUSION

YRT staff recommends the enactment of the by-law in order for staff to proceed with the implementation of the Ministry of Transportation's Driver Certification Program.

The implementation of the program will ensure quality training of the Region's Transportation and YRP staff, specific to the vehicle types used by each. Signing authority will allow in-house license upgrades and renewals as well as giving management the ability to review driver abstracts to confirm staff's good standing with the Ministry.

For more information on this report, please contact Ann-Marie Carroll, Manager, Operations at ext. 5677 or Greg Brady, Program Co-ordinator, Safety and Training at Ext. 5838.

The Senior Management Group has reviewed this report.