



November 25, 2019

Susanne Edwards
Program Management Branch
40 St. Clair Avenue West
Toronto, ON
M4V 1M2

Re: ERO 019-0646 Transfer of motor vehicle provisions from the Environmental Protection Act to the Highway Traffic Act

Dear Ms. Edwards:

On behalf of the Board of Directors of the Ontario Public Transit Association (OPTA) and its membership, it is my pleasure to comment on Regulatory Registry Proposal 019-0646. Our comments will necessarily touch on other recent regulatory changes to vehicle emissions in ERO 019-0416 and ERO 013-3867.

OPTA is the provincial association representing public transit systems, health and social service agency transportation providers, suppliers to the industry, and government representatives. OPTA's vision is excellence in the provision of sustainable public transit services for Ontarians. OPTA members include 60 large and small transit agencies in Ontario, representing 98% of gas tax funding distributed each year to Ontario municipalities.

The environmental and social benefits of public transit are well-known. Public transportation can improve air quality, reduce greenhouse gas emissions, and ease congestion. Moreover, transit agencies are researching and piloting a number of alternative fuel vehicles including battery electric, hydrogen fuel cell, and CNG/RNG.

Environmental leadership is important to municipal transit. In 2017, OPTA worked with the Ministry of the Environment and Climate Change on an on-road emissions reporting protocol that established a commitment to engage all operations and maintenance staff in identifying "smoking" vehicles and removing them from service as part of a commitment to "fix on failure" for emissions control systems. As such, municipal transit

operations are very different from the owner-operator business model of the trucking industry that is the focus of the redesign of the new heavy vehicle emissions testing program.

For the most part, municipal transit agencies contract out their emissions testing using mobile services that attend municipal garages. Currently these inspections are being done every two years at an average cost of \$75 per inspection. The new regulations would require vehicles over 6 years of age to be done every year and would therefore double the cost, administrative burden, and impact on service to customers since these inspections are aligned with the year end process for stickers and licensing and do not necessarily align with the PM schedule for that vehicle.

OPTA strongly supports environmental regulations for all heavy-duty vehicles but believes there is strong evidence that municipal transit operations should be exempt from annual testing, given the overwhelming level of compliance. Unlike problems identified in the trucking industry, emissions control devices are not being tampered with or removed by municipal transit garages. In the spirit of ERO 019-0646, OPTA welcomes the opportunity to discuss further with MOE and MTO a streamlined regulatory approach appropriate for the municipal transit industry.

Regards,

A handwritten signature in blue ink that reads "Karen Cameron". The signature is written in a cursive style and is placed on a light yellow rectangular background.

Karen Cameron
CEO, OPTA

Cc Craig Morneau, Chair, OPTA Maintenance Committee