



April 12, 2021

Canadian Transportation Agency Secretariat
15 Eddy Street
Gatineau, Quebec J8X 4B3

Sent via email: Secretariat.Secretariat@otc-cta.gc.ca

RE: Motor Coach Canada working group participation regarding request for extension to The Accessible Transportation for Persons with Disabilities Regulations Application Exemption Order (Order) for the motor coach sector

Motor Coach Canada (MCC) represents motor coach operators of scheduled service and charter buses across Canada, and we are grateful to have had the opportunity to participate in the Working Group conversations regarding our request for extension of the exemptions previously granted to us. Hearing candid discussions on the problematic provisions provided great perspective on the importance of the ATPDR. MCC had requested extension on 3 provisions: s.9 Website requirements; s.39 Personal electronic device and s.205 Pre-existing bus; and s.15 - 23 Training. Our perspective on these provisions have improved, however our position on Canadian motor coach operator's inability to meet these requirements without succour has not changed.

In reiteration of our industries decimation, it is important to note that more than 90% of motor coaches have been parked for the past year due to the drastic decrease in demand that has result from the pandemic restrictions our country has faced. While all areas of travel have certainly suffered, our industry has seen business virtually eliminated across the country because of the COVID19 pandemic. Even amidst the challenges of COVID19, airlines are still generating revenue, as essential and business travel are supporting some flight routes. Rail travel is also still occurring, as trains can accommodate social distancing measures. Motor coaches on the other hand have been utterly unused, as shown in a recent survey of our members indicating that 92% of motor coach operators have had revenue decrease between 75% - 100% over the last six months. Many of our members are small family-owned companies. Five have shut their doors permanently and more than 83% anticipate going out of businesses in the next six months.

MCC participated in the recent working group call with an open mind to find ways to remove the barriers that persons with disabilities face regularly, despite the effects that the pandemic has had on the industries resources. One concession we are happy to make is with our request for CTA to consider an extension of the 48 hours advance notice for an accessible transportation need be extended to 96 hours. We understand that much advanced notice is difficult to provide we believe that operators will be able to comply with the existing 48-hour timeframe.

Regarding section 9 (Website AA accessible requirements), motor coach operators simply do not have the funds to comply with this provision. Even pre-pandemic, small operators will struggle to provide such upgrades on their websites. With the utter lack of income over the last 12 months, any reserves that operators may have had for upgrades to their services have been completely depleted. While section 39 (Personal electronic device) and section 205 (Pre-existing bus) require a much smaller investment than website upgrades, the feedback from our members is that their financial situation is so dire that purchasing a personal electronic device becomes a very difficult task. It is important to



emphasize that the motor coach industry understands the importance of these regulations and wishes to comply in every way possible. For these two provisions, a welcome alternative to our requested exemption would be government funding to cover the cost of meeting the requirements whether in the form of a grant or an interest-free loan. In the consideration of the interest-free loan, it is imperative that the repayment period be longer than the economical recovery of the motor coach industry, which cannot be predicted at this point in the pandemic.

Lastly, regarding sections 15 - 23 (Training Requirements), MCC is taking CTA's suggestion that associations assist with the requirement for consultations with representatives of the disability community to develop training programs seriously. MCC is very willing to assist its members in any way that it can, and while we can help make the process of implementing a new training regime in compliance with the ATPDR less resource intensive for our members, it will not be enough to initiate full compliance as is required under the new regulations. Motor coach operators have seen an 54%-100% decrease in full-time employees and at least a 50% drop in part-time employees. There aren't enough staff to create and implement a new training program at this time. When reopening is possible, and staff levels begin to increase, the training of drivers and staff will be a major component with regard to safety of operations (hours of service, ELD operation, DVIRs, driver recruitment, etc.). Developing an entirely new structured training program for the requirements and considerations for passengers with disabilities should not be rushed upon reopening to meet the regulation deadlines. The industry should be allowed the time, after staff levels begin to resemble normal operations, to mindfully curate their training program to meet the new requirements of the ATPDR. MCC reiterates its previous request for exemption with the consideration that our operators will continue their existing training according to Intercity Voluntary Code of Practice and the association will perform consultations to assist our operators in developing a new training program when the time is right.

The unfortunate reality is that if a motor coach operator faces financial penalty for not meeting these requirements of the ATPDR, it could be the last straw after a long pandemic that puts their company out of business. Motor coach operators that are still operating in 2021 will continue to make every attempt to meet accessible transportation needs, but we strongly encourage the CTA to recognize the impact the COVID19 pandemic has taken on the motor coach sector, unlike any other.

We look forward to continuing our partnership with CTA and wish you and all staff to stay healthy during this time.

Sincerely,

Mardi Schueler

Mardi Schueler
Vice President
Motor Coach Canada