

fire. The aircraft crashed killing the three crew members. The unfortunate thing in this accident was that while the crew was trying to track down where the smoke was coming from, the aircraft was flying over a series of airports, and had the aircraft landed at the first airport at the first sign of smoke probably the plane and the crew would have been saved. One can see how important it is that we know what is contained in the shipments, particularly when chemicals are involved.

I would ask the minister to have his officials determine whether a certain number of packages are opened to check the contents or to determine that the chemical contained therein conforms with what is on the label, and will his officials also find out just how the crews of these aircraft can gain access to the cargo hold on passenger jet aircraft?

Mr. Gordon Taylor (Bow River): Mr. Speaker, I want to say a word or two about this proposed dangerous products act. One of the main areas with which I am concerned has regard to interprovincial traffic when dangerous products are being hauled from one province to another. We must consider this aspect very carefully as it is of concern to many provincial governments and other people, particularly in view of the fact that the regulations in each province may differ. This bill should establish responsibility in respect of dangerous products moving from one province to another.

One radical change in the bill is its departure from the normal approach in respect of the establishment of responsibility after proof of negligence. If negligence is proven, then responsibility should certainly be established. Responsibility should not simply be taken for granted because there was negligence on the part of certain individuals.

Another item that should be carefully considered by the committee is the method of haulage by trucks. Truck drivers have to assume a great deal of responsibility when they go out to pick up their loads. In many cases it is virtually impossible for those drivers to open every package to determine what they contain. For this reason it is a little unfair to hold the truck driver responsible for everything he is hauling on his truck. How we can overcome this difficulty I do not know. If everyone was absolutely honest the difficulty would not exist. However, when a truck is carrying a quarter load for one shipper, and eighth load for another, and a third for another, it is virtually impossible for the trucker to know what he is actually carrying. Many of these companies must pick up on that basis in order to have a full load moving across the country. The truck driver does not pack the goods or open the packages, and to do so would be an impossible job.

I hope this matter can be discussed in some detail at the committee stage in order that we can avoid placing an unfair burden on the many truck drivers who are excellent workmen, but who may unknowingly be hauling something dangerous. I know there is a legal maxim that ignorance of the law is no excuse, but, by the same token, there has to be some fairness exercised in placing the responsibility.

Safe Containers Act

Another matter of importance is the use of safety devices. This is a subject that came to light in the investigation of the Mississauga mishap. There are safety devices that indicate what is happening inside a wheel, an axle and so on. Truckers must, under provincial laws, have their trucks checked regularly. There should be a similar requirement for trains to make sure that railways are not unduly putting the lives of many people at risk.

This bill does not cover another aspect which I think is very relevant, and that is measures to avoid accidents in the first place. What I have in mind is what could be done on railway lines during relocation. I do not think any reasonable person would suggest that we embark on a multibillion dollar program to replace every railway line passing through a populated centre. The board of transport commissioners should take the responsibility of not permitting the rebuilding of railway lines in areas where they could be a hazard. What is happening now in many centres is that people want the lines moved, and that is when it should be put in a safe place away from populated areas. Then if an explosion occurs nobody will be killed.

● (1440)

I have referred in this House before to the illustration of what happened with the CPR in the town of Lake Louise. The people there strongly objected to the twinning of a rail line within that village. The CPR could have built the other line in a safer place away from the village, but as it is now, if there is a mishap in Lake Louise during the summer, when the town is full of tourists, thousands of people could be hurt. This line could have been located outside the town at very little extra expense. That expense would be nothing compared to the costs that would be incurred if there were a mishap in the centre of the village and they then had to relocate the line.

A similar type of mishap occurred in Stirling about three or four years ago, but we were lucky there, as we were in Mississauga. Through the tremendous efforts of the local citizens, RCMP, firemen and so on everyone was moved and no lives were lost. One of these days, if we do not begin watching carefully where these lines are placed, we will not be so lucky and a number of people will be hurt. Then there will be a real holler. I would much rather holler now. If the board of transport commissioners, the group which controls matters concerning rail lines, would use every day, common horse sense and not say yes to everything which the railways ask for, it would help us avoid many of these problems right now.

Not only myself but a number of other people appealed to the board of transport commissioners not to allow the twinning of that CPR line in Lake Louise. Although the line was essential, we did not want it to go through the village. But our pleas fell on deaf ears. To my notion, there was no proper reason given by the board as to why it agreed to the recommendations of the CPR. If there is a mishap and someone is killed, the blood will be squarely on the skirts of the board of transport commissioners which could have ordered that the other, safer route be taken.