

*Tire Safety Act*

average, small, tire businessman and to place that obligation with respect to tire safety more in the hands of the tire manufacturer.

I think we are all in agreement that this is a worth while and very valid point that has been taken by my colleague, the hon. member for Halton-Wentworth, and the ministry has seen fit at this point in time to accept the suggestion and to indicate by correspondence to the member its intentions to bring forward amendments to the legislation.

I would like to address myself to two aspects with respect to this legislation because of the similarity that I see between this bill and the Motor Vehicle Safety Act. Possibly when the minister is closing the debate on second reading and responding to the inquiries and suggestions made during this debate he will also be good enough to elaborate on whether or not my apprehension is well founded, or whether provision has been made to avoid a pitfall which may be contained in the bill. I have been in correspondence with the minister in respect to some complaints on particular defects that I have received with reference to the Motor Vehicle Safety Act, of which the minister, I am sure, is aware.

I raised with the minister at that time an inquiry as to the operation of that act because it was, quite frankly, not clear to me whether the act was being interpreted in accordance with my reading of it. The complaint I raised with the minister was that the only motor vehicle defect which is considered by the Ministry of Transport or the appropriate agency of the ministry was of such a nature that the operator of the vehicle would not have reasonable warning of the defect.

In other words, if I understand the correspondence which I have had with the Department of Transport in this area, it was the case that the defect was one which must make itself obvious or apparent and of which the driver or owner was or should have been aware, before the agency of the department involved in defect investigation would be seized with jurisdiction and responsibility. The extent to which this interpretation might apply is rather questionable. The example I presented to the minister was one of alleged defects in the steering mechanism, and the response I received from the Department of Transport was that because of the fact there should have been, and from their investigations usually was, a cracking sound in the steering mechanism, this should have put an operator on guard for defect. Therefore, this was not the kind of defect they would normally concern themselves with.

It seemed to me, on the basis of that response from the department, that I should first get clarification from the minister of the interpretation and, second, if that in fact is the case, I had made a representation that I thought the department should concern itself with defects regardless of whether or not a prudent man might in fact have noticed something wrong with the vehicle. The same questions would apply with this tire standards bill. If there is any defect at all with respect to a tire or a motor vehicle, it seems to me there should be an investigation. If a defect is reported to the department, there should be an investigation and appropriate action taken, regardless of whether it is the kind of defect an operator might have prior notice of in the normal operation of a vehicle or, in the case of a tire,

in the way in which the tire seemed to operate on the vehicle.

I would appreciate very much at this point in time, and possibly in anticipation of a letter which I will receive in due course—or if the minister is going to address himself to this bill on second reading to close the debate—if he would simply clarify that point which I now raise and possibly enunciate the department's official policy with respect to the reasons for such interpretation, or his concurrence that some change should be made to this legislation and the legislation respecting motor vehicles.

I want to go back, if I may, to the amendments that are apparently being suggested to this legislation by the minister. It seems to me there is no complaint about the standards and the certification aspects of the bill. Apparently they have received the approbation of the Rubber Association of Canada which speaks on behalf of the tire manufacturers in our country, and therefore there seems to be general acceptance of the main part of the bill. As I say, I am glad to see that there was a reasonable amount of flexibility shown by the department by agreeing to change the provisions of the bill whereby every dealer would be required to keep detailed records of sales and certification requirements.

This would, of course, place a very substantial burden on the small businessman and there are many thousands of small entrepreneurs across our country who, Lord knows, have enough facing them as it is. I think those amendments are worth while and are worthy of our support, in effect providing for the consumer a form that can be submitted to the manufacturer. The matter of registration can be taken care of in this manner, as is done in the case of many other appliances, utensils and commodities of every description.

● (1640)

I want to indicate, on second reading, that I fully support the intent of this legislation. Anything we in parliament can do to increase the safety aspect of motor vehicle operation will receive our almost unanimous support. Our comments here are meant to be of a constructive nature so we have the best possible legislation, and I trust suggestions from the opposition will be accepted from time to time since we have such outstanding and vigilant members as the hon. member for Halton-Wentworth, who has brought forward rational and sensible proposals for the government on each occasion I have heard him speak.

In conclusion, may I indicate to the House that my investigation of this matter has indicated that we have a very good record as far as the Canadian tire manufacturer is concerned. That is to say, there is very little evidence of a serious tire defect problem affecting the safety of our motor vehicles, and the industry is to be commended for this. But that is not to say that we should not in fact be vigilant in the interests of the average citizen who operates a motor vehicle. A growing number of our population drive motor vehicles. Apparently something in the vicinity of 80 per cent of all travel in Canada is by motor vehicle.

I understand it to be the case that these standards will apply not only to our own domestically manufactured tires but also to tires that are imported. I also understand that tires imported into Canada account for something in the