

The bill before you was prepared after thorough consultations with provinces, municipalities, railways, railway unions, shippers, shippers of dangerous commodities, owners of private railway equipment and, of course, public interest groups. The basic provisions of the bill have widespread support among the persons consulted, and amendments made to the original draft have accommodated many minor concerns raised by interested parties.

It may be of comfort to honourable senators to know that the safety record of Canada's railways is very good. Our perception of railway safety is often conditioned by the few major accidents that are so widely reported. I would like to reassure you that the railways are basically safe. Moreover, they are becoming safer. In seven of the last eleven years CP Rail has been the safest Class 1 railway in North America. Over the same period CN Rail has been consistently within the top six.

Although the record is good, it can be improved. To do this we must have an understanding of the problem. Of the total fatalities that occur in railway accidents, over 40 per cent are due to accidents at grade crossings. Almost without exception, these could be prevented by the motor vehicle driver. Another 40 per cent of the fatalities involve trespassers struck by moving railway equipment. The key to reducing this terrible toll is to educate motorists and children to the dangers of railways and to improve safety at grade crossings.

Bill C-105 makes provision for government to take action through continued funding of crossing improvements and grade separations, and through a new provision to allow the Minister of Transport to fund a wide range of safety-related activities, including educational programs, such as Operation Lifesaver, that are aimed at school children.

Honourable senators should also be aware that there are major efforts under way aimed at improving railway safety and protecting the public. The government established the Toronto Area Dangerous Goods Task Force and the Task Force on the Shipment of Dangerous Goods through the B.C. lower mainland. Both task forces, which involve provincial and municipal governments and public interest groups, are considering the risks and alternatives related to transporting dangerous commodities through urban areas. The results should be relevant to communities throughout the country.

As mentioned earlier, the government commissioned Justice Foisy to carry out a full investigation into the tragedy at Hinton. Justice Foisy's excellent report was released to the public, and the Minister of Transport also made public progress on implementing the recommendations. Significant changes have been made to rules governing hours of rest for train crews. The unsatisfactory "deadman pedal" has been prohibited and will soon disappear from locomotives, to be replaced by the more reliable and tamper-proof "reset safety control" device. Wherever possible, the recommendations of the Foisy Report have already been implemented. Other longer-term proposals are under active consideration. Justice Foisy's recommendations for legislative action are embodied in the bill now before us.

[Senator Spivak.]

There are many areas in which the government has acted to improve safety on our railways. Bill C-105 is an important step in continuing and accelerating the work. The Railway Safety Act will be the means to achieve that objective, and I am sure that honourable senators will assist by giving this bill speedy passage.

On motion of Senator Turner, debate adjourned.

EMERGENCIES BILL

REFERRED TO COMMITTEE OF THE WHOLE

On the Order:

Resuming the debate on the motion of the Honourable Senator Kelly, seconded by the Honourable Senator Nurgitz, that the Bill C-77, An Act to authorize the taking of special temporary measures to ensure safety and security during national emergencies and to amend other Acts in consequence thereof, be referred to the Special Committee of the Senate on National Defence.—(*Honourable Senator Frith*).

Hon. Royce Frith (Deputy Leader of the Opposition): Honourable senators, I have received a letter from Senator Kelly, and I believe a copy was sent to Senator Doody.

Hon. C. William Doody (Deputy Leader of the Government): Honourable senators, in all modesty, I have to say that it is the other way round.

Senator Frith: That is only as it should be. He should have sent it to his deputy leader first.

The effect of his letter is that this bill should be referred to a Senate Committee of the Whole. If so, with consent, we can amend the motion accordingly and have it passed.

Senator Doody: Honourable senators, we have no problem with that. A time has been tentatively set for Wednesday, May 31. That time has to be confirmed with the minister's office, but I understand that he and his officials have agreed to attend on us at that time. If that is agreeable, there will be a Committee of the Whole on this particular bill at that time.

The Hon. the Speaker: It is moved by the Honourable Senator Doody, for Senator Kelly, seconded by the Honourable Senator Frith:

That Bill C-77, An Act to authorize the taking of special temporary measures to ensure safety and security during national emergencies and to amend other Acts in consequence thereof, be referred to a Committee of the Whole on Wednesday next.

Is it your pleasure, honourable senators, to adopt the motion?

Senator Frith: Since a date has not been agreed to, perhaps we can just refer it to a Committee of the Whole. Then the Committee of the Whole can be set up to meet the minister's schedule.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion that it be referred to a Committee of the Whole?