

N.S. LEGISLATIVE  
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## LAW AMENDMENTS COMMITTEE

Red Room, Province House

Monday, November 3, 2014

1:30 p.m.

### Bill #51 - Motor Vehicle Act (amended)

- 1:30 p.m.
1. Ryan Kirker
  2. Dr. Natalie Yanchar, President  
*Injury Free Nova Scotia*
  3. Scott Burchill

### Bill # 64 - Limitation of Actions Act

- 2:00 p.m.
1. Darrel Pink  
*Nova Scotia Barrister's Society*
  2. Cheryl Canning and/or Charles Ford  
*Lawyer's Insurance Association of Nova Scotia (LIANS)*

### Bill #60 - Smoke-free Places Act (amended) and Tobacco Access Act (amended)

- 2:30 p.m.
1. Shai Sinnis
  2. Ray Yeates
  3. Leo Bitar **DID NOT APPEAR**
  4. Marsha Kaczmarek
  5. Denise Smith **DID NOT APPEAR**
  6. Eva Campbell
  7. John Kaczmarek
  8. Mohammad Ranjbar

9. Michael Kadalen  
*Cedar Festival*

~~10. Bonnie MacDonald~~

3:30 p.m.

11. Rodney Smith **DID NOT APPEAR**

12. Cedric Hughes

13. Chris Phillips

14. Heather DeLong

15. Kyle Kurts, business owner  
*Smoke-less NS Limited*

16. Mike Hammoud, President  
*Atlantic Convenience Stores Association*

17. Shaddy Chedraoui **DID NOT APPEAR**

18. Kevin Chapman, Director of Health Policy and Promotion  
*Doctors Nova Scotia*

19. Simon Salah

20. Tony Wood-Keller

4:30 p.m.

21. Nicholas Flynn

22. Jason Hubbard

23. Krista McMullin

24. Daniel David, Chair  
*Electronic Cigarette Trade Association*

25. Rob Cunningham, Senior Policy Analyst  
Kelly Cull, Manager, Government and Partner Relations  
*Canadian Cancer Society*

26. Catherine Driesbeck, Community Health Promotion Lead  
*Heart and Stroke Foundation*

27. Samir Toulany **DID NOT APPEAR**

28. Sami Jreige

29. Marika Schenkels

30. Mike Bowen **DID NOT APPEAR**

5:30 p.m.

31. Mark Chedrawe

32. Paulette Hawksworth  
*College of Dental Hygienists of NS*

33. Natalia El-Moukhtafi

34. Chris Salah

35. Patrick Jabbour **DID NOT APPEAR**

36. Todd Leader

37. Kim Pye

38. Johanna Kwakernaak  
*Western Kings Community Health Board*

~~39. Gwennyth Dwyer~~

40. Daisy Dwyer

41. Jeremy Adams, Director  
*National Smokeless Tobacco Co.*

42. Dr. Louise Parker

**Bill # 64 - Limitation of Actions Act (cont'd)**

6:30 p.m.

3. Berry Mason and Brian Hebert  
~~Raymond (Ray) Wagner and/or Harvey McPhee~~  
*Atlantic Provinces Trial Lawyers Association (APTLa)*
4. Ryan Blood
5. Dan Ingersoll, Q.C.  
Len White, CEO  
*Engineers Nova Scotia*

## **Bill #62 - Shared Services Act**

6:30 p.m.

1. Ian Johnson, Servicing Co-ordinator/Policy Analyst  
Keiren Tompkins, Executive Director  
*Nova Scotia Government Employees Union (NSGEU)*

**Bill #60 - Smoke-free Places Act (amended) and Tobacco Access Act (amended) (cont'd)**

7:30 p.m.

43. Mohammed Al-Hamdani DID NOT APPEAR
44. Michael Klander  
*Rothmans, Benson & Hedges*
45. Nancy Hoddinott, Executive Director, Primary Health  
*IWK Health Centre*
46. Christina Swetnam, Chair  
*Smoke Free Kings*
47. Holly Kennedy
48. Chris Enns
49. James Ruddy

**Bill #24 - Civil Service Act (amended)**

*no representation*

**Bill #38 - Pooled Registered Pension Plans Act**

*deferred from previous meeting*

**Bill #52 - Consumer Protection Act (amended) and Safer Communities and Neighbourhoods Act (amended)**

*no representation*

**Bill #58 - Apprenticeship and Trades Qualifications Act (amended)**

*no representation*

**Bill #59 - Halifax Regional Municipality Charter (amended)**

*no representation*

**Bill #65 - Railways Act (amended)**

*no representation*

**Bill #66 - House of Assembly Act (amended), House of Assembly Management Commission Act (amended) and Members' Retiring Allowances Act (amended)**

*no representation*

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**From:** Joan Firth <jmfirth@eastlink.ca>  
**Sent:** Thursday, October 30, 2014 8:00 PM  
**To:** Office of the Legislative Counsel  
**Subject:** Law Amendments Committee

Re amendments to drivers license :

I agree that these people , who have proven that they are not relying on drink anymore, should be allowed to get their license back. However whatever stipulations that are put in place ( and certainly there must be some) must be affordable to these people. It does not make sense to amend the act if they cannot afford the insurance or interlock.

Sincerely , Joan Firth

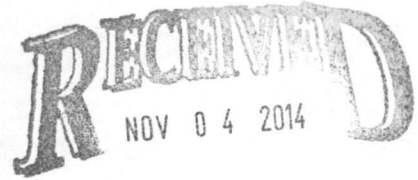
Sent from my iPad

**LAW AMENDMENTS COMMITTEE**

**Red Room, Province House**

**Tuesday, November 4, 2014**

**12:15 p.m.**



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**Bill #51 - Motor Vehicle Act (amended)**

*deferred from previous meeting*

**Bill #60 - Smoke-free Places Act (amended) and Tobacco Access Act (amended)**

*deferred from previous meeting*

**Bill #62 - Shared Services Act**

*deferred from previous meeting*

**Bill #64 - Limitation of Actions Act**

*deferred from previous meeting*

DEFERRED

**Bill #51**  
**Motor Vehicle Act (amended)**

CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE

**PAGE 2, Clause 3** - delete proposed clauses 69(1)(a) and (b) and substitute the following:

- (a) holds a valid driver's license for the class of vehicle being driven;
- (b) is not a novice driver;
- (c) is awake; and
- (d) has not consumed alcohol in such quantity that the concentration in the person's blood exceeds fifty milligrams of alcohol in one hundred millilitres of blood.

**PAGES 3 and 4, subclause 8(1),**

- (a) **line 1** - delete "subsection" and substitute "subsections";
- (b) add after proposed subsection 100A(1) the following:

(1A) Where a peace officer believes on reasonable or probable grounds that any person occupying the front seating position of a motor vehicle being operated by a licensed learner or newly licensed driver has consumed alcohol in such quantity that the person is not qualified to be a supervising driver as set out in clause (d) of subsection (1) of Section 69, the peace officer may make a demand pursuant to subsection (2).

**PAGE 4, subclause 8(2), line 5** - add "or (1A)" before "applies".



**LAW AMENDMENTS COMMITTEE**

**Red Room, Province House**

**Wednesday, November 5, 2014**

**9:30 a.m.**

**Bill #51 - Motor Vehicle Act (amended)**

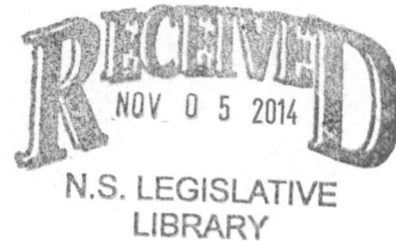
*deferred from previous meeting*

**Bill #60 - Smoke-free Places Act (amended) and Tobacco Access Act (amended)**

*deferred from previous meeting*

**Bill #64 - Limitation of Actions Act**

*deferred from previous meeting*



DEFEATED

**Bill #51**  
**Motor Vehicle Act (amended)**

CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE

**PAGE 2, Clause 3** - delete proposed clauses 69A(1)(a) and (b) and substitute the following:

- (a) holds a valid driver's license for the class of vehicle being driven;
- (b) is not a novice driver;
- (c) is awake; and
- (d) has not consumed alcohol in such quantity that the concentration in the person's blood exceeds fifty milligrams of alcohol in one hundred millilitres of blood.

**PAGES 3 and 4, subclause 8(1),**

- (a) **line 1** - delete "subsection" and substitute "subsections";
- (b) add after proposed subsection 100A(1) the following:

(1A) Where a peace officer believes on reasonable or probable grounds that any person occupying the front seating position of a motor vehicle being operated by a licensed learner or newly licensed driver has consumed alcohol in such quantity that the person is not qualified to be a supervising driver as set out in clause (d) of subsection (1) of Section 69A, the peace officer may make a demand pursuant to subsection (2).

**PAGE 4, subclause 8(2), line 5** - add "or (1A)" before "applies".

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CARRIED

**Bill #51**  
**Motor Vehicle Act (amended)**

CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE  
BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE RENEWAL

**PAGE 1, subclause 1(b)** - delete proposed subclause 2(aea)(iii) and substitute the following:

(iii) holds a driver's license of class 1, 2, 3, 4, or 5 as set out in the regulations made pursuant to Section 66 and has been the holder of

(A) such a driver's license for less than two years, or

(B) driver's licenses of more than one such class for a combined period of less than two years;

**PAGE 3, Clause 7, proposed subsection 70C(1)** - delete "done so for less than two years" in the second and third lines and substitute "been the holder of such a driver's license for less than two years, or of driver's licenses of more than one such class for a combined period of less than two years,".

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## McDonald, David S

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**From:** Justice Minister  
**Sent:** November-05-14 2:29 PM  
**To:** LeBlanc-Murray, Nicole M  
**Subject:** FW: Law Amendments Bill 51 Motor Vehicle Act

-----Original Message-----

From: Immigration Minister  
Sent: Wednesday, November 05, 2014 1:43 PM  
To: Justice Minister  
Subject: FW: Law Amendments Bill 51 Motor Vehicle Act

-----Original Message-----

From: scott burchill [<mailto:shburchill@me.com>]  
Sent: Monday, November 03, 2014 6:54 PM  
To: Immigration Minister; [billhornemla@gmail.com](mailto:billhornemla@gmail.com); [info@patriciaarab.ca](mailto:info@patriciaarab.ca); [terry.farrell@live.com](mailto:terry.farrell@live.com); [brendan@brendanmaguire.ca](mailto:brendan@brendanmaguire.ca); [patdunnmla@bellaliant.com](mailto:patdunnmla@bellaliant.com); [gordiegosse@ns.aliantzinc.ca](mailto:gordiegosse@ns.aliantzinc.ca); [alfiemacleodmla@ns.aliantzinc.ca](mailto:alfiemacleodmla@ns.aliantzinc.ca); [lenorezannmla@bellaliant.com](mailto:lenorezannmla@bellaliant.com)  
Subject: Law Amendments Bill 51 Motor Vehicle Act

Please read thoroughly as you hold my future as well as others I'm sure.

I spoke today at The Law Amendments but do to being very nervous was not fully able to say all I wanted to say and I have a few other points I need to make.

If someone has been convicted of two or more DUI'S they have a issue as I did with alcohol and unless someone makes a life style change they will continue down the same path I myself and I am sure others will glad welcome the privilege of having our license back. However. WILL NOT BE ABLE TO AFFORD TO DRIVE. I have been without a vehicle (license) for 15 years this lowers my value as a employee and because of this receive lower pay and there is absolutely no way I would be able to afford a vehicle with interlock and the high cost of insurance and I know for a fact there are others in the similar situation.

They want to use this program to monitor those that continue to drive without insurance and with out a license, but I ask what if this law is passed and they cant afford to drive legally, then they will continue to do so illegally I have three DUI"S with there DUI"S one can get there license back however, because I had one driving while disqualified I can never drive again unless the law comes into play I can get a license but cant afford to drive, this law will only help the middle to upper class.

I more so then anyone else deserve my license back I can prove that I have been sober for 5 years I have family, friends, employers, past employers, co workers who all would speak on my behalf.

I think the final say should be left to the registrar and/or a panel who as they do now when someone wants to leave the interlock program they make a decision whether or not that person is a low or high risk, I should after 15 years without a license should have this option, especially since I have remained sober and no motor vehicle charges against me since my DUI"S.

There are people out there who continue to drive and not make any changes unlike I have so who should they get another chance but yet the government is telling me they cant trust me.

There should be interlock for life for some those who have lifetime bands but have not made any changes to correct there lifestyle THEY are the ones who will reoffend, Ive been sober 5 years 15 years with driving I am not a risk.

Thank you  
Scott Burchill

## McDonald, David S

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**From:** Justice Minister  
**Sent:** November-05-14 2:31 PM  
**To:** LeBlanc-Murray, Nicole M  
**Subject:** FW: Law amendments concerning the interlock system

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**From:** Immigration Minister  
**Sent:** Wednesday, November 05, 2014 1:44 PM  
**To:** Justice Minister  
**Subject:** FW: Law amendments concerning the interlock system

**From:** Vicki [<mailto:vixiestix2005@yahoo.ca>]  
**Sent:** Monday, November 03, 2014 10:13 PM  
**To:** Immigration Minister  
**Subject:** Law amendments concerning the interlock system

Hi there,

I am sending you this letter in regards to my cousin, Scott Burchill, getting his licence back and the interlock system that he would be forced to install in a vehicle in order to regain his licence. I would not write this letter unless I was sincerely convinced of the change that Scott has made in his life, whether or not he is part of my family. I do understand that he has made mistakes in the past, really bad mistakes, when it came to his drinking and driving. Under no circumstances do I or would I condone such behaviour.

My thoughts are about the transformation that has taken place in his life over the past 5 years. As I write this, I can't help but get emotional thinking about how Scott used to live his life, addicted to alcohol and not caring for himself or considering how his actions affected the rest of the world. He tried to get sober, tried to make changes in his life and nothing seemed to work. He was a sad, depressed and hopeless man. Yet we all knew the great potential he had within him.

When he knew he was going to be a dad everything changed, and I do mean everything. The transformation that has taken place in his life has been nothing short of miraculous. I could talk about it forever because I am so proud of him and proud of who he is as a dad and a man. He has kept a steady job, he has not taken a drink and he has dedicated his life to making his and his daughter's life better. His sobriety is an inspiration to all around him.

I don't want to make this letter too long, but I just want to say this. Having his licence back will be amazing, but I fear all the restrictions that will be placed on him will cause such a financial strain it will not be feasible for him. I am asking that the amendments committee considers not placing such harsh and unrealistic restrictions on his driving. Scott and others like him deserve the chance to get their licenses back without the interlock system placed in their vehicles.

Surely people who have made such huge changes in their lives deserve another chance. The difference this will make in the life of Scott and Ella is unimaginable. He has already done so much and I believe having the privilege to drive will allow him to make life for him and his daughter so much better.

Thanks so much for your time and consideration and God bless you as you make these difficult decisions.

Sincerely,  
Vicki Sears-Dorey

[Sent from Yahoo Mail for iPad](#)