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Official Report of
DEBATES OF THE LEGISLATIVE ASSEMBLY
(Hansard)

THURSDAY, MAY 30, 1974

Night Sitting

[[Page 3587](#)]

CONTENTS

Night sitting Routine proceedings Committee of Supply: Department of Transportation and Communications estimates On vote 235.

Mr. Morrison — [3587](#)
Hon. Mr. Strachan — [3587](#)
Mr. Morrison — [3587](#)
Mr. Smith — [3587](#)
Hon. Mr. Strachan — [3590](#)
Mr. McGeer — [3592](#)
Hon. Mr. Strachan — [3594](#)
Mr. D.A. Anderson — [3594](#)
Mr. McGeer — [3595](#)
Mr. Cummings — [3595](#)
Mr. Phillips — [3597](#)
Mr. Gardom — [3598](#)
Hon. Mr. Strachan — [3602](#)
Mr. Wallace — [3603](#)
Hon. Mr. Strachan — [3605](#)
Mr. Wallace — [3606](#)
Hon. Mr. Strachan — [3606](#)
Mr. Phillips — [3606](#)
Hon. Mr. Strachan — [3608](#)
Mr. Phillips — [3608](#)
Hon. Mr. Strachan — [3609](#)
Mr. Phillips — [3609](#)
Hon. Mr. Strachan — [3610](#)

The House met at 8:30 p.m.

Introduction of bills

Orders of the day

The House in Committee of Supply; Mr. Dent in the chair.

ESTIMATES: DEPARTMENT
OF TRANSPORT AND COMMUNICATIONS
(continued)

On vote 235: Minister's office, \$100,716.

MR. N.R. MORRISON (Victoria): I wonder if the Minister would like to explain to the House and describe the use of the new computer-type cash registers which have been ordered for the ferries. How they propose to use them and...?

HON. R.M. STRACHAN (Minister of Transport and Communications): Well, I'll get an exact description of that if you'd like to hold that until the vote comes up, if you don't mind. We'll get an exact technical description for you.

MR. MORRISON: Well, I brought it up at this point because I really wanted to get a description of it and then ask if it was planned for other areas other than just for the ferries?

HON. MR. STRACHAN: I'll get the information for you for the ferry vote.

MR. MORRISON: Right. Another question which I've asked a number of times, some time ago I did get an answer but I'd like to bring it up-to-date if I may. I've been trying to get this answer from your department for about a week now.

I'd like to know what the lay-off of the risk is to Lloyd's of London, what portion they underwrite of the liability portion of the auto insurance, and what portion they underwrite of the liability portion of the general insurance. And I'd like to know what base figures you're using for a base. Do you have that figure now?

HON. MR. STRACHAN: I know that I already answered the part with regard to the Autoplan.

MR. MORRISON: That was quite a long time ago and the figures you gave me were quite old. I'd like the current ones.

HON. MR. STRACHAN: It was during the session, my friend.

MR. MORRISON: The figures were for a period quite before.

HON. MR. STRACHAN: That was the period at that time. Do you want me to bring in an answer every week, okay, I'll do that.

Now let me answer that question. I think the answer was 0.67 per cent of the total premium income.

MR. MORRISON: That the date that figure was computed was quite old, is the point I'm making, not that you gave it to me. I'd like it current, if I could get it.

HON. MR. STRACHAN: I've no more current figure than that.

MR. MORRISON: Another question which I would like to ask again, and which I've asked a number of times, is on the central communication centre for aircraft. Where is it going to be located, and what is the frequency that you're planning on using?

HON. MR. STRACHAN: I'll get a detailed report for that too, when we get to the aircraft section and the ferries.

MR. MORRISON: Okay.

MR. D.E. SMITH (North Peace River): There are 2 couple of things that bothered me concerning the implementation of the auto insurance plan in the Province of British Columbia. I think it's about time that the Minister, perhaps, gave us some facts and details about the plan.

One of the things I would like to ask the Minister is: why, when the general insurance industry in the Province of British Columbia was able to provide coverage for all the people in the province — depending upon what they wished to buy, not what the government told them they had to buy — the total premiums were in the neighbourhood of \$160 million to \$165 million per year? Now, suddenly and very unexpectedly, I would suggest to the people of this province, under this great government monopoly we find that the total premium income for the Insurance Corporation of British Columbia for insuring automobiles in this province will be in excess of \$200 million in the first year. That's a pretty substantial increase for a Crown corporation on a monopoly basis who suggested to the people of British Columbia that they should be able to buy auto insurance for \$25 a year.

[[Page 3588](#)]

HON. MR. STRACHAN: Do you want me to answer that?

MR. SMITH: You'll get your opportunity, Mr. Minister.

HON. MR. STRACHAN: You're making a speech on nothing.

MR. SMITH: Not on nothing.

HON. MR. STRACHAN: I can answer it.

MR. SMITH: Any time the people of British Columbia have to divvy up an extra \$40 to \$45 million a year in premiums it's not anything; it's not nothing. It's one devil of a lot of money, Mr. Minister.

It happens to be just about 25 per cent more premium dollars than the private insurance industry has charged in the previous year. I know you're going to say that because everybody has to have certain coverage there's an additional premium.

HON. MR. STRACHAN: No, no, that's not what I'm going to say.

MR. SMITH: But that's not all of it. You not only charged them 25 per cent more premium in the first policy year that the contracts are in force and they have no opportunity or no choice because they have to buy their insurance from you, but you dream up a gimmick which will require people to pay a minimum of \$10 per year to insure their driver's licence.

You know that by adding that one premium, the corporation immediately guaranteed themselves a \$13,980,000 more premium income than they had any right to expect. And that's the minimum, Mr. Minister, because you dreamed up another gimmick. That gimmick was to retroactively surcharge everyone who had had any prize points against their driver's licences in the last three years. So you took a total of the points even though they may not presently be on their driver's licence, and decided that you would not only take the total of those points but you would square them and that was the extra premium that people would be involved in.

I suggest, Mr. Chairman, to the Minister, that that threw up a minimum of \$20 million of rip-off profits to the corporation this year, and probably more than that. A minimum of \$20 million that you ripped-off the people of British Columbia for in excess premiums in this one year.

You also dreamed up another little gimmick. You decided that even those people who paid no more than the basic \$10 would pay a prorated premium until their birthday, sometime during the latter six months of 1974, and then you'd collect another 10 bucks. So it means that those people who pay a prorated premium will pay not \$10, they'll probably pay \$13, \$14, or \$15 in 1974. So you threw up another \$4 million to \$6 million of excess income to

the corporation.

No wonder the Member for South Peace River (Mr. Phillips) queried you on how you were going to finance the rebate to people who have to pay 8 cents or 8.5 cents or 9 cents per gallon extra for gasoline in the Province of British Columbia.

You already know where the funds are coming from. You took it in one hand out of the people who are paying excess premiums in the Province of British Columbia, and you're going to hand it back to them on the other and say, "Look what we did for you people. Aren't we nice? We're going to rebate to you part of that increased cost of gasoline that those nasty oil companies have charged you." But you collected the money first of all, Mr. Minister, and you put it in a bank account and you collected interest on that money for, the term of the time that is there before you have to pay it back out. And nobody in British Columbia is going to get the benefit of that. You know it and so do I.

If there was ever a programme introduced in the Province of British Columbia which will be abused by the government, not by the people, it was auto insurance under ICBC.

I'd just like to ask you this, Mr. Minister: are you going to file a complete financial statement in this House concerning the assets, the liabilities and the costs of operating that corporation? Is that fair to ask you to do?

Are you going to tell the people of British Columbia how much money you have paid for property to set up service centres?

MR. R.T. CUMMINGS (Vancouver–Little Mountain): He'll tell all the people how good the insurance is.

MR. SMITH: Well, well, well!

MR. CHAIRMAN: Order, please.

MR. SMITH: There is a chirper from the backbenches. You know, it is amazing to see this gentleman.... He chirps from the backbench but he very seldom gets up and contributes anything to the debate in this House.

I want to know if you are going to come clean with the people of the Province of British Columbia and tell them exactly how much you are paying for land to build these great service centres on, how much it has actually cost the people of British Columbia to set up this corporation, which is duplicating the service that was available to every person in the Province of British Columbia before

[[Page 3589](#)]

without the interference of ICBC.

I suggest, Mr. Chairman, that in the first year of operation of this corporation, between the money that is spent for rental quarters, for purchasing property and for setting up service centres that were not really required, it will cost the people of British Columbia a minimum of \$100 million in rip-off. That is going to have to be absorbed in the premiums that you are charging.

No wonder most of the people in this province are paying more in premiums now than they paid before. Lord help the individual who in British Columbia drives himself and has two cars in his family and his wife drives and he has three teenagers. You didn't do them any service. When they pay the total premium that will be involved for the coverage they must maintain on those vehicles, including their driver's insurance certificate, they will pay more than they did before.

It's not much wonder that the corporation can rent some of the most exclusive office space in the Province of British Columbia. After all, who is paying the tab? It's only the people of the Province of British Columbia that have to pay the tab. You've got the bucks to the tune of \$200 million immediately after the plan went into effect because you didn't even allow people the option of paying for their insurance on an installment basis through yourselves. If

they elect that option, they have to pay a substantial amount of interest on the premiums that they borrow.

So you've got it in the bag, Mr. Minister. You've got it in the bag. The only unfortunate part of it is that you don't seem to realize that the people who are being gouged are the ones you pledged to protect in the Province of British Columbia.

Let us know, Mr. Minister, just what you are going to produce for the \$200 million-plus of premium income that you are going to collect this year from the drivers in the Province of British Columbia. Let us know what you are going to give to the people of this province for the \$20 million to \$25 million of income that the province will receive through the driver's certificate insurance in the first year that it is in force.

You really loaded the cards against the people. Not only do you retroactively surcharge them but you said you would be very generous and allow them to drop three points a year. The interesting part of that is this: people who may have no more than three points on their driver's licence at the present time will find themselves being surcharged for 10, 12, or 15 points, because you are going to go back three years.

If they were unfortunate enough to have had a couple of speeding convictions — caught in a radar trap or whatever — they could easily have had in the last three years 12 to 15 points. Those points will be reduced by the great total of three points per year.

Interjection.

MR. SMITH: Bad risk? Have you never been caught in a radar trap, my friend? Have you ever been caught in a radar trap going 30 mph in a 25 mph zone?

MR. CHAIRMAN: Order, please. Would the Hon. Member address the chair, please?

MR. SMITH: Have you ever been caught in a radar trap doing 55 mph in a 50 mph zone?

MR. CHAIRMAN: Order, please. Would the Hon. Member address the chair and confine his remarks to vote 235?

MR. SMITH: I suggest to you, in the business you were previously in, that you're not being quite truthful with the province and the public. I don't know a taxi-driver that ever drove for very many years that didn't get caught at one time or another.

MR. CHAIRMAN: Order, please. I would ask the Hon. Member....

MR. SMITH: All I'm suggesting to you is that you load the chances of being caught for speeding charges and violations far more than....

MR. CHAIRMAN: I asked the Hon. Member to....

MR. SMITH: If you draw him to order, then I will stay in order, Mr. Chairman.

MR. CHAIRMAN: I can't even speak as long as you're standing. Be seated.

MR. SMITH: I will.

MR. CHAIRMAN: And remain seated.

Now the point of order. I would like the Hon. Member for North Peace River to address himself to vote 23S of the Minister's estimates and also to address the Chair. On two counts you were violating the standing orders.

I would remind the Minister of Highways Hon. Mr. Lea) that he is not to interrupt a speaker when he has the floor.

MR. D.M. PHILLIPS (South Peace River): Why don't you call the Minister of Health (Hon. Mr. Cocke) to order? You're afraid of him.

MR. SMITH: Thank you, Mr. Chairman. I appreciate your ruling. I'm sure that you 'are not really offended by the fact that some of us get a little

[[Page 3590](#)]

wound up when Members from the opposite side — particularly cabinet Ministers who should know better — interject in a debate that is taking place on the floor of the House. If they are going to set an example for the backbench Members, surely to goodness they should perform in a more civilized manner on the floor of the House.

Interjections.

MR. SMITH: It's nice to see the Hon. Minister of Lands, Forests and Water Resources (Hon. R.A. Williams) back in the House this evening. Welcome back to Victoria, Mr. Minister. I hope you had a nice junket. It's nice for you to get back in time to put in three or four hours of debate before the House adjourns tomorrow afternoon. It's nice to recognize the fact that you are back in the House.

The points that I have made, Mr. Minister, through you, Mr. Chairman, I think are very valid and legitimate points. They are points and questions that are being asked by the public generally in the Province of British Columbia.

By the decision of your party you decided that auto insurance would only be available to the people in the Province of British Columbia through a monopoly corporation. That was your decision.

MR. CHAIRMAN: Order, please. I would point out to the Hon. Member that you have been debating the principle of Bill 34 from last year rather than addressing yourself to the estimates that are before you.

MR. SMITH: Not at all. I'm debating the responsibility of the Minister who is presently justifying the reason why we should vote him his salary in this House.

HON. G.R. LEA (Minister of Highways): Be serious; be serious.

MR. SMITH: I am serious. We are in the business of providing insurance on a monopoly basis because it happened to be a government decision that that was the way to go. All I'm suggesting to the Minister is that before he gets his salary he had better tell us at least two or three things.

Why, on a monopoly basis, were the premiums charged to the people of this province increased from \$165 million to \$200 million-plus in one year? Is there any justification for that? Why, Mr. Minister? Why was it necessary, after increasing the premiums generally to the public in British Columbia by \$40-odd million, to charge an additional basic \$10 per person for driver's insurance — particularly when you know as well as I do that many of the drivers in the Province of British Columbia do not own a car?

There are many situations where three or four people drive one vehicle in the family. But it was necessary, according to the wisdom of this new corporation, to charge everybody a minimum of \$10 regardless of whether they had any demerit points or not.

Why do you think it is fair or reasonable to retroactively surcharge everyone who has a driver's licence in British Columbia for the total of all points they may have accumulated in the three years prior to the time that ICBC came into operation in the province of British Columbia?

HON. MR. STRACHAN: I want to welcome the First Member for Vancouver–Point Grey (Mr. McGeer) back. We missed him this afternoon.

MR. G.H. ANDERSON (Kamloops): And every afternoon.

HON. MR. STRACHAN: And every afternoon. I'm glad your plane made it. Your colleague, sitting behind you, didn't get here until five o'clock, then got up and gave a big speech. I expect the same thing from you.

The Member for North Peace River raised a number of items. I want to remind that Member that it wasn't my decision that we adopt the monopoly system of automobile insurance. It was a decision of the duly elected Legislative Assembly of the Province of British Columbia.

MR. SMITH: Yes, 38 to 17.

HON. MR. STRACHAN: Why did we put it on a monopoly basis? That was a decision made by this House.

The Member then went on to make a number of erroneous statements. I am sure he didn't intend to, but nevertheless, he made a number of erroneous statements — misleading statements, not deliberate. But I realize that as an insurance man, perhaps he doesn't pay too close attention to the figures he is using.

Mr. Chairman, he used the 1972 premium income to start with, and compared it with the 1974 premium income, and then said this increase is in one year. That is what he did, which, of course, gets you right off base because the 1973 premium income figures are not yet available. So he goes from 1972 to 1974 to start with. He ignored completely the fact that for the first time there was compulsory collision on all automobiles eight years old or newer, which increases the premium income. He ignored completely the fact that for the first time there is compulsory insurance on trailers. He ignored completely the fact that for the first time many agencies and groups who have been self-insurers are

[[Page 3591](#)]

now part of the total insurance package in the province of British Columbia.

He ignored all of these things, and then attributed that increase in total premium income to an increased charge on the individual automobile owner in the Province of British Columbia.

Now, I suggest to you, Mr. Chairman, that that is a grave error for that Member. I regret very much that he hadn't really considered the whole situation — first of all, the base from which he was starting when he said it was a 12-month increase, then secondly the facts that I have raised with you.

He complains about the monopoly situation. I want to remind the Member, and I want to remind the people of this province, that every party in opposition has said that if they win the next election they will introduce competition back into the automobile insurance field in this province. I want to remind the people of this province that is the commitment they have made, because certainly I will remind them, come the next election, that if they elect any one of those parties, they will turn their backs to the private insurance companies in the Province of British Columbia. And you will live to regret that commitment my friends, all of you.

Interjections.

HON. MR. STRACHAN: What else did the Member say? He says we collected the money, we are going to get the interest on it and nobody is going to get it back.

The Member obviously wasn't listening, hasn't been listening, when I have repeated, repeated, repeated — I said it again last night — that every penny of every kind of income derived from the automobile insurance part of the business stays in the automobile insurance fund to be used for the reduction of premiums.

What do you mean you will never get it back? Well, I have repeated and repeated, but you keep on raising that same old canard. Mr. Chairman, these people keep making these wild, silly, false accusations. They know it will get printed in the newspapers, and they try and delude and mislead the people of this province with malicious and false statements. It is a bilious, sick procedure you are using, right down the line. Debate after debate they keep repeating these absolutely false statements, knowing they will get publicity, and hoping that some of the people will

believe it.

Now, I don't know how often I will have to repeat it: every single penny — interest, premium, everything else — that accrues from the automobile insurance business stays in the automobile insurance plan. Get that into your heads once and for all. I have said it time and time again.

Mr. Chairman, the Member asked for the final financial statement in this House. The law requires that I file a financial statement in this House. The law requires it and I will file a financial statement in this House.

That Member for Vancouver–Point Grey (Mr. Gardom) got up with those millennial figures just last night, and again he hasn't read the report. He hasn't read the report on how to use those figures, or what the figures meant. He is a great legal figure, but he didn't read the wording of the report and what these figures meant. I am not responsible for his ignorance, and I refuse to accept responsibility for his ignorance.

Interjections.

HON. MR. STRACHAN: Look, this is an annual report. We already knew on the basis....

Interjections.

MR. CHAIRMAN: Order, please. Order!

HON. MR. STRACHAN: I have told you that I will file the financial statement. There will be a financial statement filed when the law calls for it to be filed. Am I going to tell the people how much we pay for property? Certainly I will tell the people how much we pay for the property.

MR. SMITH: When? It won't be part of a profit-and-loss statement, I wager.

HON. MR. STRACHAN: I will give a report to the people on how much we pay for property. No question about that.

The Member said that service centres were not required. Again, I explained earlier that the Insurance Bureau of Canada, the amalgam of all the private insurance companies, are now selling in eastern Canada a brand new proposal which is going to bring great automobile insurance to the heartland of this country. The very core of the proposal includes service claims centres. We haven't got them in this province now. It is part of the only reasonable way to handle automobile insurance.

The Insurance Bureau of Canada, the private industry, have now recognized that and they are promising the people of eastern Canada the same service that we are providing now in the province of British Columbia.

There is another figure that I will remember when I table the next financial statement about this company in this House — that \$100,000 wasted on claims centres. Now there is a figure ... I don't know where he got it from. It is so far from reality that it completely destroys even the minute vestige of anything you have said that approaches reason or right in your debate so far on the Insurance

[[Page 3592](#)]

Corporation of British Columbia. I will remind you of that figure of \$100,000 a year from now for service claims centres in the province of British Columbia.

Driver's insurance I have already explained to you. But I want to tell you.... Again, Mr. Member, you say here is somebody who only has three points this year, but we have gone back three years, and if he had nine points three years ago we are charging him on nine points. That is not true. But there you go repeating that canard again; you continually do it, you and all your colleagues because you know it will get printed in the papers. Completely erroneous statements.

I am getting thoroughly fed up with you and your whole crew because you keep repeating these silly statements. You know they are wrong; I have corrected you; you refuse to recognize facts. And that is the answer to your question.

MR. P.L. McGEER (Vancouver–Point Grey): Mr. Chairman, the Minister is exercised this evening. I can remember the days when he was Leader of the Opposition, and his caucus wasn't as large as all the assistants he has from the civil service and Crown corporation executives.

As I recall those days he wasn't able to make any better use of his caucus as Leader of the Opposition than he is of all the information that he's brought with these gentlemen to sit beside him....

HON. MR. STRACHAN: A point of order, Mr. Chairman. A point of order.

MR. CHAIRMAN: The Hon. Minister on a point of order.

HON. MR. STRACHAN: That Member wasn't in the House this afternoon. I gave reams and reams of statements, reports and figures this afternoon about which you are completely unaware. Therefore, you have no right to make that statement.

MR. McGEER: I admit now the Minister may have been....

MR. CHAIRMAN: Order, please. Order! It's a custom to allow the Chair to comment on a point of order. I would point out to the Hon. Member that the Hon. Minister's point is well made. I would ask him not to cover ground that's already been covered. Also he should confine his remarks to the vote before us.

MR. McGEER: Quite, Mr. Chairman. And I quite can see that the Minister may well have been brilliant this afternoon, but he certainly wasn't brilliant this evening. Nor was he particularly to the point that the Member for North Peace River (Mr. Smith) raised with regard to the cost of ICBC and the way in which the people of British Columbia are contributing to those costs.

I listened very clearly and carefully to the statements the government made prior to the establishment of the ICBC regarding premiums and how people would be paying less. When comparisons were made it turned out that a great many people were paying more.

In order to save face the government did something which I consider to be unacceptable. They made two classes of premium payers in British Columbia: one who paid the full fee and another that were able to prove beyond doubt that they paid a lower rate the year before and therefore were to be given a rebate and an advantage over other drivers in British Columbia.

I paid a full rate last year to a private corporation. I paid a full rate this year. And I see no reason why others should be paying less to the ICBC. If the rates are higher for some people, then the government should honestly have declared that the rates would be higher — and not to try and sneak around it by giving rebates to certain individuals on the basis that no one would have to pay more.

Why, Mr. Chairman should there be two classes of ratepayers in British Columbia? I condemn the Minister and I condemn the administration of the ICBC for allowing two classes of citizens to exist in British Columbia — getting the same insurance, paying different rates, because the B.C. government wanted somehow to make it appear they were honouring a promise that they obviously could not honour. It's sneaky, Mr. Chairman, and it's unworthy of an executive of a Crown corporation.

I say quite frankly that if this is to be a democracy everybody has to be on the same basis. You cannot take that person there and say they will pay less premium although they drive the same car and fall into the category as the person next door. That is manifestly unfair, and no way to open the operation of a corporation. That kind of thing should absolutely be withdrawn. It's dishonourable and disgraceful.

Now, Mr. Chairman, I want to move on to another point which was raised by the Member for North Peace River. I want to dissociate myself completely from a government that would do that kind of thing; and in no way would I excuse an executive of a corporation for going along with it.

I mentioned yesterday a particular case where the ICBC failed to honour a promise of the Premier and a commitment made by the executive of the Motor Vehicle division that people who took driver training courses would be given a \$50 rebate on their course.

HON. MR. STRACHAN: I reported on that this afternoon. I'm sorry you weren't here.

[[Page 3593](#)]

MR. McGEER: Yes, but when I asked the question you didn't have the answer. I merely want to point out that there is a double standard with the ICBC. In one case they create two classes of citizens in British Columbia to honour a false promise that you made. Something which is....

HON. MR. STRACHAN: On a point of order. Mr. Chairman, I read a lengthy report to the House this afternoon which completely refuted the accusation made by the Member and clarified the whole situation. Again, I'm sorry he wasn't here. But I don't think this House should be subjected to a repetition of the speech he made last night when I've already refuted it this afternoon.

MR. CHAIRMAN: On the point of order. The point of order is well taken in that the matter which the Member is discussing was thoroughly canvassed this afternoon.

MR. McGEER: Mr. Chairman, I'm only using this as an illustration of the double standard of the Minister, the double standard of the government and the double standard of the ICBC.

Now I want to go on to another point, Mr. Chairman.

HON. MR. STRACHAN: Yes, go on to another point.

MR. McGEER: May I go on to another point, Mr. Chairman?

MR. CHAIRMAN: Will the Hon. Member continue, please?

MR. McGEER: Thank you.

One of the practices which I think is justly condemned in this House is retroactive legislation, retroactive taxes and retroactive penalties. If I commit an offence, I do it in the full knowledge of the consequences of that offence, whether it's speeding or committing non-capital murder.

But Mr. Chairman, the way ICBC has been set up — with the concurrence of the government — people pay a retroactive penalty for their driving record.

You know, Mr. Chairman, the former Minister of Industrial Development, dear departed soul, used to say that kind of thing and the Members of the opposition used to say: "You keep your hands out of the people's pockets." I can recall the Minister of Transport saying that when he was given a similar piece of advice by the former Minister of Industrial Development, the former Premier, both of whom are long gone from this House and whose departure is not regretted by most of us here. But I must say to the Minister of Industrial Development (Hon. Mr. Lauk), through you, Mr. Chairman, that when they said it, they said it better. Their hands in the people's pockets when they say on the one hand that the premiums for their insurance shall be X many dollars; but there is one little extra thing: that's the \$ 10 you pay for you licence.

MR. CHAIRMAN: Order, please. I would point out to the Hon. Member that this subject has also been canvassed.

MR. McGEER: I'm asking the Minister, Mr. Chairman, if he will grant having gouged these people this particular year complete amnesty on their driving record for the purposes of collecting money for their insurance next year to wipe out all the points on everyone's driving record.

Personally, I don't think something like that should be done. I think a system which is completely fair and completely above-board should be introduced. It was announced by the government and the ICBC that the previous driving records of people would not be taken into account in establishing the insurance premiums.

Mr. Chairman, the ICBC knew it would have to say that, because the insurance companies quite properly would not divulge to the ICBC excess premiums that these people paid because of their driving records.

I admire the private insurance companies for respecting the privacy of the people that they insured while they were providing service in British Columbia. But of course, Mr. Chairman, those kinds of ethics did not need to be followed by the Attorney-General (Hon. Mr. Macdonald's) department as far as the driving records the Attorney-General's (Hon. Mr. Macdonald's) department as far as the driving records of the provincial government.

They could set a different ethical standard, and so they did, Mr. Chairman, by moving in retroactively, seizing the records, if you like, and extorting money from these people in order that they might continue to drive.

I ask for this amnesty, Mr. Chairman, on ethical grounds. To impose surcharges for driving licences on the basis of points that were accumulated before the ICBC commenced operation, which was April 1, 1973, to my standard is unethical. I think if the Minister and the government are to be fair and above board, to stand by the statements of principle they made in establishing this Crown corporation, they should be completely consistent and, in being completely consistent, expunge these records. As of April 1, everybody starts from zero. Go ahead and impose these surcharges if you wish, but let the drivers of British Columbia know that will be the consequence of an arrest and the accumulation of points on their driver's licence.

In the free and easy days when the point system

[[Page 3594](#)]

was being introduced, many people would willingly accept points rather than challenge the validity of their arrest in a court of law solely for the reason of reducing the number of points against their licence. Having as a matter of convenience admitted their guilt, later on they find points have been added to their driver's licence and that they are now required to pay an extortionist fee to continue to drive.

Mr. Chairman, I'm a fortunate person; I have no points on my driver's licence. But I can well imagine, being faced with a questionable arrest, accepting a number of points on my driver's licence rather than take a day off work in order to prove my innocence. But I certainly wouldn't anticipate two years later to have that admission counted against me in the number of dollars I had to pay in order to continue driving.

This is what the government has imposed. It's unfair; it's iniquitous; it's unethical; it's unworthy; it's undemocratic; it's disgraceful.

I ask the Attorney-General (Hon. Mr. Macdonald) and the Minister of Transport and Communications to regain their principles, which they abandoned when they marched across this floor to government, and begin to stand for the fairness and democracy I thought they stood for when they used to make speeches on this side of the House.

What's happened to them, Mr. Chairman? Where did their consciences go?

Interjections.

MR. G.S. WALLACE (Oak Bay): The power has gone to their heads.

MR. McGEER: Mr. Chairman, I think power has gone to their heads. Sometimes I wonder if they can get their heads through the door at the end of the day. But maybe through debate in this chamber they can regain those

things they lost when they walked across the floor and begin to dispense fairness and democracy in the Province of British Columbia.

HON. MR. STRACHAN: That was the usually garbled charade from the good Member for Vancouver–Point Grey. He was smiling all the time he was giving that histrionic display. He enjoys it; we all enjoy it.

He knows as well as I do, Mr. Chairman, that the private industry searched the records, looked at the points, and assessed the individual on the points that were on his record. Private industry did that. He knows that. Again, it is one of the strawmen he enjoys creating, and then he whumps away at it....

MR. McGEER: You said you weren't going to count it.

HON. MR. STRACHAN: He thrashes it and rehashes it and rehashes it. He knows he's putting on an act.

MR. McGEER: You lied to them.

HON. MR. STRACHAN: No, I didn't lie to them.

MR. McGEER: You lied to them.

HON. MR. STRACHAN: No, I didn't lie to them.

MR. McGEER: You told them it wouldn't be counted against them.

HON. MR. STRACHAN: No, I didn't. I explained a year ago when the legislation was coming up — perhaps you weren't here again when I explained it.... Incidentally, speaking of you not being here, would you like the report on the driver training to be repeated? Oh, you'd better read it in *Hansard*.

MR. McGEER: I'd like it to be repeated.

HON. MR. STRACHAN: Somebody asked: When are you going to give us how much it cost for your land? When are you going to tell us how much it cost you for your buildings? Mr. Chairman, it's in the annual report that I tabled in this House weeks ago.

AN HON. MEMBER: No, it isn't.

HON. MR. STRACHAN: There it is, there. Land: \$9,045,000; buildings: \$456,000; construction in progress: \$5,137,000; total: \$14,638,000 as of February 28, 1974. Now there it is.

Interjections.

HON. MR. STRACHAN: You say we don't tell you anything. "When are you going to tell us?" I filed it in the House and it will be filed again next year. "Are we going to get financial statements?" I gave you financial statements and you don't even read them.

MR. D.A. ANDERSON (Victoria): Mr. Chairman, before supper I was asking the Minister about a discrepancy between the statement of a director of ICBC and the head of the Insurance Agents Association. The Minister quite properly pointed out that he himself had been very careful not to say that more agents had been requested by the Insurance Agents Association of British Columbia.

Indeed, to refresh his memory, because he did not have the *Hansard* in front of him, I read out the quote which made perfectly clear the Minister himself did not state that they had requested more agents.

[[Page 3595](#)]

The Minister, I think quite correctly, took some satisfaction in the fact that he had avoided that....

HON. MR. STRACHAN: I didn't say they hadn't requested them. I said I hadn't said the request.

MR. D.A. ANDERSON: Well, I would like to ask the Minister now if there is some doubt as to whether his statement represented, in response to a direct question on that subject, the whole truth. Would he now like to state whether they did or whether they didn't.

HON. MR. STRACHAN: I don't know whether they did or not. I stick by my original statement.

MR. D.A. ANDERSON: This might be a question, then, that he could put to assistants, of whom nine have been present in the room for most of the day.

Interjection.

MR. CHAIRMAN: Order, please. If the Hon. Minister replies, would he use his mike?

HON. MR. STRACHAN: ...were associated with ICBC; you know that.

MR. D.A. ANDERSON: Well, there are people with him responsible for ICBC. I understand Mr. Bortnick is not far away.

HON. MR. STRACHAN: I've answered the question.

MR. D.A. ANDERSON: You've just stated that you haven't answered the question, Mr. Minister.

HON. MR. STRACHAN: I said I've answered the question....

MR. D.A. ANDERSON: Well, the question again is there. We have the statement by the president of the Insurance Agents Association, Mr. Jack Hamilton, who stated he had no request for extra agents: "No, we did not. None whatsoever," was his quote.

MR. CHAIRMAN: Order, please! Would the Hon. Member address the Chair. I would ask the Members not to speak from their seats because it does cause consternation with *Hansard*. I would ask you to speak one at a time and into the mike.

MR. D.A. ANDERSON: Thank you, Mr. Chairman.

Interjection.

MR. CHAIRMAN: I would also point out to the Hon. Second Member for Victoria (Mr. D.A. Anderson) that he may not insist on the answer given by the Minister; he may not press the point.

MR. D.A. ANDERSON: How many times would you suggest we can repeat a question? I understood the Minister before supper as having said, no, he had made no such statement.

HON. MR. STRACHAN: I said I made no such statement.

MR. D.A. ANDERSON: As the question was not properly answered by him earlier, I would like him now to answer a question, very straightforward, by consulting with his assistants who are responsible for ICBC and who are not far from him. Did the Insurance Agents Association in fact request more agents to be appointed or did they not? It's the same question I asked back on February 18 in the House, to which the Minister responded in terms which avoided the question.

MR. McGEER: I'm not in the category of people who didn't think government automobile insurance was a good idea. I thought it was. I certainly fall in the category who would say we should keep government automobile insurance. I hope that when the Minister is going to go round and tell everyone that the opposition would dispense with government automobile insurance, he'll make a specific point of excluding the First Member for Vancouver—

Point Grey as falling in that category.

One thing we would absolutely guarantee the people, however, is that no more of their insurance premium would go to Manny Dunsky. I'm certain that's where my insurance premium went. It went to Manny Dunsky advertising.

MR. CHAIRMAN: Order, please. The matter of advertising for Autoplan has been covered several times fairly thoroughly.

Interjections.

MR. McGEER: You know, we don't have the Blues any more. I used to be able to read the Blues when I came in, but we've been denied that. Can the Minister give us a flat guarantee that no more of our premium money will be spent on Manny Dunsky?

SOME HON. MEMBERS: Hear, hear!

MR. CUMMINGS: I have a few questions here. Actually, it concerns the Liberals because they seem to want to delay the Minister's estimates. They wanted to know about disclosure. Will the Second

[[Page 3596](#)]

Member for Vancouver–Point Grey (Mr. Gardom) disclose how many insurance companies he was employed by in 1970?

MR. CHAIRMAN: Order, please. We are considering the estimates of the Minister.

MR. CUMMINGS: No, no. We're discussing a possible conflict of interests. If a man is procured by the insurance companies, we want to know now.

MR. CHAIRMAN: Order! We are considering the estimates of the Minister of Transport and Communications, and it is not proper to direct a question to another Hon. Member.

MR. McGEER: Point of order, Mr. Chairman. Could the Member put that question on the order paper?

MR. CHAIRMAN: I would rule any pursuance of this question out of order.

MR. D.A. ANDERSON: It's not a question of order. Ask him to put up or shut up.

MR. CUMMINGS: Actually, you know the Liberals are very brazen.

MR. D.A. ANDERSON: Your job is to tell him to put up or shut up. Do your duty.

MR. CHAIRMAN: Order!

MR. D.A. ANDERSON: It's a straight violation of the rules of this House, and you know it. Now, face up to your responsibilities and tell him to put evidence before....

MR. CHAIRMAN: Order! If the Hon. Second Member for Victoria has a point of order, would he rise in the proper manner and make his point of order instead of speaking from his seat?

MR. D.A. ANDERSON: You know full well that claims of conflict of interest, as raised by that Member, are in violation of the rules of the House, and you should instantly ask him for evidence, ask him for some information, or ask him to withdraw. You know that.

MR. CHAIRMAN: Order, please. The Chair has ruled that the point which he's raised is out of order, period.

MR. D.A. ANDERSON: Then ask him to apologize.

MR. CHAIRMAN: There has been no request made for withdrawal of the remark.

MR. GARDOM: Mr. Chairman, I'm delighted to answer.

MR. CHAIRMAN: I would ask the Hon. Second Member for Vancouver–Little Mountain to withdraw any imputation of wrongdoing by his choice of remarks, without qualification.

MR. CUMMINGS: For a possible conflict of interests? Everyone knows that a lawyer will sell himself out to the nearest available insurance company....

MR. GARDOM: We're fed up with this guttersnipe language from this Member.

MR. CHAIRMAN: Order, please. I asked the Second Member....

MR. CUMMINGS: Today a lawyer stood up...this motion's in trouble. These guys have been selling out the laws and the justice of this country forever.

AN HON. MEMBER: Put up or sit down.

MR. CHAIRMAN: Order, please! I've requested the Hon. Second Member for Vancouver–Little Mountain to withdraw any imputation of wrongdoing involving the Second Member for Vancouver–Point Grey in regard to the remarks that were made.

MR. D.A. ANDERSON: Or the Minister of Industrial Development, Trade and Commerce.

MR. CUMMINGS: I withdraw any remarks.... Can I work on the Second Member for Victoria?

MR. CHAIRMAN: Order! The Hon. Member is to withdraw unconditionally the imputation....

MR. CUMMINGS: I withdraw it unconditionally, but now I would like to work over the lawyer from....

MR. CHAIRMAN: Order, please! The Hon. Member must address his remarks to vote 235, and to the Minister whose vote we are considering and not discuss other Members of the House.

Interjection.

MR. CUMMINGS: That does it! When I'm attacked by a man that can't even tell the difference between the sexes of whales, I'm in trouble.

[[Page 3597](#)]

MR. CHAIRMAN: Order! Would the Hon. Member confine his remarks to the vote and to the Minister's estimates, please?

MR. CUMMINGS: Actually, the point I'm trying to make is that the party that's leading this attack on the Minister who has brought in the finest legislation, the finest insurance Act in British Columbia, is a little bit prejudiced in the fact that they've been an employee, especially that one Member...no, he's Simon Pure. I believe that he's the only one in the whole world of the legal profession who has never been hired by an insurance firm, therefore he's Simon Pure, and that's true for the Member for West Vancouver–Howe Sound (Mr. L.A. Williams). But the rest of the profession has managed to make themselves rather tarnished when it comes to insurance companies.

MR. CHAIRMAN: Order, please! I would just point out to the Hon. Member that we are not discussing the legal profession, we're discussing the vote of the Hon. Minister of Transport and Communications.

MR. CUMMINGS: We're discussing the legal profession's attack on the insurance corporation, which is probably the greatest thing that's ever happened to the people of British Columbia.

Interjection.

MR. CUMMINGS: I don't mind being attacked by a...no, I better not say it because not only are they disrespectful, they're brazen faced. They ignore what their brothers do in Ottawa, They are completely without moral character.

MR. CHAIRMAN: Order, please! I would bring to the Hon. Member....

MR. CUMMINGS: It's the Liberals I am discussing.

MR. CHAIRMAN: Order! I would point out to the Hon. Member that we are discussing the administrative responsibilities of the Minister of Transport and Communications. I would ask the Hon. Member not to discuss other Members of the House.

MR. CUMMINGS: I'm discussing the Liberal's attack — the cheap political tricks of the Liberals who are attacking the finest Minister who brought in the finest legislation for the people of British Columbia. Now what's out of order about that, Mr. Chairman?

MR. CHAIRMAN: Order, please. All questions or comments must be relevant to the Minister's responsibilities and not with....

MR. CUMMINGS: Oh, you curb free speech.

MR. PHILLIPS: I hope that when I ask the Minister of Transport and Communications some questions that the Second Member for Vancouver–Little Mountain will not feel that I'm attacking the Minister. All we're trying to do in this House is let some light shine in. But you know, Mr. Chairman, the First Member for Vancouver–Point Grey (Mr. McGeer) brought up a very interesting point when he talked about retroactive charges to points on driver's licences.

MR. CHAIRMAN: Order, please. I would point out to the Member for South Peace River that it states in May clearly that you are not to canvass your own arguments again, or the arguments of others again. I would ask you to bring up a new point or else discontinue your speech.

MR. PHILLIPS: With your great indulgence, I intend to introduce into the House some new evidence on this particular matter.

I wish the Minister would stay because this is a very important part.

AN HON. MEMBER: If he'd answer some questions, it would be much better.

MR. PHILLIPS: Mr. Chairman, a person who within the last three months had committed a crime like stealing or peddling dope or any other crime, and had served his jail sentence is far better off in British Columbia today than a person who has points on his driver's licence because if he picked up points on his driver's licence he's going to be penalized by the Insurance Corporation of British Columbia. When he received those points, he did not know that he was going to be penalized. He felt he had paid his debt to society.

MR. CHAIRMAN: Order, please. The point made so far has already been made a number of times. I would ask the Hon. Member to get to his new point.

MR. PHILLIPS: Mr. Chairman, the point is this: when those points were given to that individual, he did not realize that this government was going to bring in an insurance scheme whereby he would be penalized.

I'd like to refer to an article in the *Vancouver Province*, dated February 5, 1974. The headline is: "The

Demerit System Cited." The point is this: "Contested traffic tickets skyrocket 80 per cent." Why do people start contesting traffic tickets at this point?

AN HON. MEMBER: Read the rest of the article,

[[Page 3598](#)]

Don.

MR. PHILLIPS: I will read the rest of the article.

"The number of traffic violation charges being contested has shot up 80 per cent because of the linking of driver's licence costs with the demerit point system, court officials say."

Now this is fine if you start from day one, Mr. Chairman. And this is the whole point of the situation: if you start from day one when you introduced this system and advised people that they're going to have to pay more for their insurance if they have demerit points on their driver's licence, then you're being perfectly fair. But this government is not being fair by making this fine system...and that's really what it is, it's introducing a fine system on driver's licences. I'd like to continue reading the article:

"Under the provincial government's Autoplan, drivers with five or fewer demerit points will pay a basic \$10 fee for licences. Those with six or more points will pay \$10 plus a dollar figure equal to the square of the total number of points, giving a total: cost for the driver with six points, for example, of \$46, or one with 7 points, \$59."

This, Mr. Chairman, is retroactive legislation; you're penalizing people for something that when they received it, they did not know they were going to be penalized.

That's why I say a person who has committed a crime within the last 36 months and has paid his debt to society is far better off in this society under a socialist rule than one who has got demerit points on his driver's licence, strictly due to the dictatorial policies of the Insurance Corporation of British Columbia. We've seen retroactive legislation before in this Legislature.

MR. CHAIRMAN: Order, please! The Hon. Member is repeating the arguments that have already been made. I would ask him to raise a new point.

MR. PHILLIPS: Well, I'm asking the Minister if he will not reconsider starting from day one on the point system. The people of British Columbia did not elect him to go back and penalize them for points which they received 36 months ago. I know myself, I was picked up for speeding just outside of Vernon last year, and I had an argument with the traffic inspector with regard to the condition of the road. He said: "You can contest it. It'll cost you \$10.

One of your own backbench Members went over that same piece of road that particular night and verified the situation. The road was dry, but I didn't contest it. Why didn't I contest it? I'd like to advise you that it's the only three points I've had in over 20 years of driving. Why didn't I contest it? I didn't contest it because I didn't know that the insurance Corporation of British Columbia was going to penalize me for that. Had I known at the time, I would have contested it. I certainly would have contested it.

Interjection.

MR. PHILLIPS: I would have contested it. If you want the floor.... All the silent backbench — they don't get up and make any speeches, they don't get up and ask any questions, but they yack across the floor. Why doesn't the silent backbench of the NDP get up and ask some questions if you want some answers?

MR. CHAIRMAN: Would the Hon. Member address the Chair, please?

MR. PHILLIPS: Would the Hon. Chairman quit harassing me? Mr. Chairman, if you want to harass

somebody why don't you harass the Minister, because I've asked questions in this House that I still haven't got an answer for. I want the Minister to tell me....

HON. MR. STRACHAN: I've answered all your questions.

MR. PHILLIPS: No, you haven't answered all my questions, Mr. Chairman. The Minister has not answered all my questions.

I want the Minister to tell me before he gets his estimates: is the Insurance Corporation of British Columbia going to be involved in the plan of the Premier to reimburse, or to assist the automobile drivers of this province to drive their automobiles for less money? Is, or is not, the Insurance Corporation going to be involved in this plan? We want to know before these estimates are passed because if it doesn't involve the Insurance Corporation of British Columbia, Mr. Chairman, let the Minister stand in the Legislature and tell us. If it is going to be involved let him stand on the floor of this Legislature and tell us.

MR. GARDOM: Mr. Chairman, I still would like to hear from the Hon. Minister why he's refusing to inform people in this House, most of whom own cars and all of whom are taxpayers, and the people of B.C. about their concerns about the dollars and cents of the Insurance Corporation of British Columbia. Despite the very wild rhetoric that we've heard this afternoon and this evening and the preposterous, vicious and untrue charges, these seem to me to be valid questions. They are questions that have been put to me. There have been questions that have been put to the Members of the official opposition and also to the Members of the Conservative Party. They are questions, Mr. Minister, that your own party has received, and they are questions that Mr. Bortnick has received himself as the chief executive officer of this

[[Page 3599](#)]

huge corporation.

Since it is a public corporation, and since the public have the ownership of it and will bear the brunt of its failure and will profit from its success, if there's success, they are entitled to ask these questions. It's no answer, Mr. Minister, to get into a personal attack. They're valid questions. What's invalid about a taxpayer or a motorist asking what this thing is costing? What is invalid about that?

Interjection.

MR. GARDOM: You're not, Mr. Minister. What is the salary scale of the Insurance Corporation of British Columbia? Why do you refuse to give us those figures? You haven't answered that. If you say you're back to back to that, Mr. Minister, I'm going to say categorically that's a lie. You agree you have not answered that question. You've also not answered this question, Mr. Minister: how much are the projections of ICBC for claims losses payments in 1974-1975? You've not given us those figures and those figures, Mr. Minister, are available. Are you prepared to say that those figures are not available and have not been processed, and those estimates have not been taken into account by the Insurance Corporation of British Columbia? Are you prepared to say that? I don't think you are, Mr. Minister, because if you did that it would be a lie. That would be a lie.

HON. MR. STRACHAN: What would?

MR. GARDOM: If you said that the Insurance Corporation of the Province of British Columbia has never gone ahead and had a projection of what they anticipate for claims losses in the 1974-75 period, that would be incorrect because they've done that work and you're nodding your head. Then why don't you volunteer and give that information?

Is it improper? Is this going to be a subject of personal vilifications? Is it improper to ask you, Mr. Minister, as to what the administrative expense of ICBC is running at today in percentages, or what it has estimated for the 1974-1975 period? Is that an improper question?

Is it 12 per cent, like Manitoba, currently? Is it more than that? Is it less than that? What is projected over the coming period? Is it going to be more or less than \$27 million, which is the figure that I worked out from your financial statement, Mr. Minister, utilizing the Manitoba experience? Those were the only figures that I had at my fingertips, but you've got them all. As the Member for West Vancouver–Howe Sound (Mr. L.A. Williams) said, why don't you level with us?

You've talked about the expenditure for capital improvements this year and you've waved your annual report. I know what you said in your annual report. You have indicated how much you've spent for capital improvements. You've also broken it down into land and construction costs. I ask you one question: why is it that the land seems to be twice as high as the construction cost? You haven't answered that question.

You also have not answered the question as to how you arrive at \$19 million plus for the coming period as an estimate. Your word, your figure, your book for capital expenditures in 1974-1975. Where is that money going to be spent? How much of it is estimated to be spent on land and how much of it is estimated to be spent on structures? Is it all to be spent on structures? Does this only refer to claims centres?

Don't you think that a shareholder has the right to ask those questions? They do have the right to ask those questions. It doesn't matter how hot the debate may get, Mr. Minister — the questions are totally valid and the answers have not been forthcoming.

Also, the answers concerning the Adams situation have not been forthcoming, and again it is a very, very valid question indeed. If, Mr. Minister, Mr. Adams was performing his job, who went ahead and made a waterlogged decision that he should be taken off his work, put into retirement and receive \$52,000-odd sum of money for doing nothing?

MR. CHAIRMAN: Order, please! I would point out to the Hon. Member that he is tending to be repetitious.

MR. GARDOM: So indeed, Mr. Chairman, is the Minister in not answering these questions. Tonight at least he's doing one thing which he did not do yesterday and he didn't do this afternoon — he's writing them down. He's giving me that courtesy.

If Mr. Adams, Mr. Chairman, through you to the Hon. Minister, was not doing his job, why wasn't he discharged without the gift, without the bonanza? What was his job in ICBC? The football coach or something or other? What did he do? What did he do wrong? What did he do right?

That's an awful lot of money — \$52,000 is an awful lot of money. A lot of people in this province would like to have that sort of money, Mr. Minister, for not doing anything because of the virtue of a difference of opinion. Who was the difference of opinion with and what was the difference of opinion? Was the difference of opinion with the administrative side of the Insurance Corporation of B.C., or was it with the political side?

Don't you think you've a responsibility to answer that question? Is it a war-time secret? A problem of national security?

MR. CHAIRMAN: Order, please! I would point

[[Page 3600](#)]

out again to the Hon. Member that he's continuing to be repetitious.

MR. GARDOM: Mr. Minister, another question. Under the statute which brought the Insurance Corporation of British Columbia into being — the *Insurance Corporation of British Columbia Act* — we find under section 10(2), Mr. Minister, that the corporation is an agent of Her Majesty in the right of the province.

Mr. Minister, when this statute was brought into being, prior to the *Crown Proceedings Act* which is being considered in this session, the net effect of that section is that a person would not be entitled at law to effectively sue

the Insurance Corporation of British Columbia, which is a fact that I'm sure is exceptionally well known to the gentleman on your left (Mr. Bortnick) are you going to recognize and give validity to those law suits and have ICBC not plead that section of the statute? Or are you going to put a provision in the *Crown Proceedings Act* to the effect that it would be retroactive to the commencement of the ICBC statute? Or was this just a section that was brought in to give the government good and clear sailing in its current law suit? How did that come about?

I received a letter, Mr. Minister, from a constituent who was very concerned about one specific matter dealing with the documents required to effectively drive a car today. The constituent referred to an article in the *Sun* by Mr. Jess Odam — a very respected writer in the Province of B.C.

HON. G.V. LAUK (Minister of Industrial Development, Trade and Commerce): Not now he isn't.

MR. GARDOM: Not now he isn't? What's happened? Is he no longer respected by you, Mr. Minister? Who said that? Oh, you're pleading anonymity.

MR. CHAIRMAN: Order, please. Would the Hon. Member please address the Chair?

MR. GARDOM: The Hon. Minister of Industrial Development is pleading anonymity. We shall let him rest in his plea.

Mr. Odam says that the documents that a person must have to effectively drive a vehicle include four: a valid registration certificate, an owner's insurance certificate, a driver's licence and a driver's certificate. But Mr. Odam says this, and if it is correct we have, I think, a very serious situation in the province:

"If any one of these documents cannot be produced, all of the others are held to be invalid. It matters not that they have been paid for in the normal way and that no notice is received from either the Motor Vehicle Branch or ICBC pointing out that they are no longer in effect.

"Legally, the vehicle becomes unlicensed and uninsured and the driver and/or owner is subject to all the penalties that this situation involves. Because the vehicle is uninsured the owner or driver will be liable for claims arising from any death, injury or property damage for which he is held wholly or partly responsible.

"What will happen in practise is that the ICBC will pay out the claims and then do its best to recover from the technically uninsured owner or driver even though they may well have paid a premium for coverage."

If this is a fact, Mr. Minister, you have certainly got to indicate that this is not going to be practised and this type of a law is certainly not going to continue to exist in the statute books and you've got to put an amendment in on it this session.

MR. CHAIRMAN: Order, please. I think the Hon. Member knows that the matter that he is discussing or recommending is a matter of legislation and cannot properly be considered in estimates.

MR. GARDOM: Mr. Chairman, that's always a thin line, really and truly. It is also a matter of policy. Are you going to accept, Mr. Chairman, as government policy that if you don't have one of four certificates in your possession at the time of an incident you lose your right to insurance? That's absolutely preposterous. That's an administrative duty and an administrative function and you know it. I ask the Minister to comment upon it if that is the fact. I can't say for sure that it is; I don't know that it is not. But I would certainly like to have comment on it because I have heard from more than one person about this point which was raised by Mr. Odam.

I have one opportunity — and these don't come too often, obviously — to compliment the Minister. I'm glad to see that he has announced and given additional particulars of the \$50 arrangement whereby first drivers who take a certified driving course are able to receive that, I gather, as a reduction from their insurance. Is that correct? It will be off the insurance policy. I welcome that and it is a step along the line.

HON. MR. STRACHAN: We give them a cheque.

MR. GARDOM: You give them a cheque. Well, that's even better. Whether they happen to take out a driver's policy or not? No, that's not the case, is it? No.

MR. CHAIRMAN: Order, please. Would the Hon. Member address the Chair?

[[Page 3601](#)]

MR. GARDOM: Obviously the Minister is a little mixed up in that but when he stands up he can inform the House what it really is. But, Mr. Minister, that is not enough in itself. I take it from being constantly chastised by the Chairman in other debates that driving is the responsibility of this Minister. Highway safety is, to a great extent, under this Minister too.

HON. MR. STRACHAN: Different vote.

MR. GARDOM: Well, we'll talk about it now. Mr. Minister, you brought in the \$50 — that's fine and dandy — but you've not gone far enough. What we should have in the Province of B.C. is compulsory driving courses given in all of our high schools and make it as well documented as we possibly can and let them be given practical expertise by officers and, indeed, visitations and lectures by coroners, firemen, doctors and all of the people who are involved in the rather ghastly results of automobile tragedies. Compulsory driving instruction, Mr. Minister, in all of the high schools should become a thing of reality in September, 1974, in this province. I'll ask you if you are prepared to bring it in. I don't think you are and if you are not I think it is exceptionally unfortunate.

Secondly, Mr. Minister, I would ask why you do not go ahead and proclaim a section of a statute that was supported by you and by your colleagues when you were in the official opposition in 1969. That was an amendment to the *Motor-vehicle Act*. It was section 2(d). I will read it to you:

"Except with the consent of the Superintendent "

referring to the Superintendent of Motor Vehicles, who does an exceptional job in the Province of British Columbia

"no person under the age of 18 years may drive a motor-vehicle unless he is certified under a driving training programme approved by the Superintendent to be qualified to drive a motor-vehicle."

That section is still not proclaimed in the Province of B.C. and to me it is straight dereliction of duty that it is not.

Next point, Mr. Minister. I would commend you to phase in, throughout all of the province, including the outlying areas, for the problem drivers — adults and students as well — the defensive driving course. That should be available in every community in B.C. If it is not already, and I gather it is not.

I have always stressed, Mr. Minister, and other Members on all sides have as well, that we have not given correct emphasis at all to compulsory, province-wide, motor-vehicle inspection and testing. In statistics that we have perceived in the report filed in this House via the Superintendent of Motor Vehicles or his department, I suppose, we find some amazing statistics. One was that 37 per cent of the cars in the Vancouver, Victoria and Richmond stations were rejected. Think how, indeed, apart from the fact that it is almost like playing roadway roulette, how much this kind of exposure can create and increase the risk and increase the cost of insurance in the Province of B.C. On the basis of one million cars — and I think your figure is that we have 1.3 million now, is that right?

HON. MR. STRACHAN: Total vehicles. There are 1.1 million.

MR. GARDOM: Okay. I think that is closer. That would mean we find 377,000 cars in the Province of B.C. likely to be rejected on the basis of this sample, and this is an awfully good sample. As I've said, that's just like playing roadway roulette. We have one mobile testing unit operating today. The testing units are pretty well concentrated in the lower mainland and Vancouver Island. Proposals, I gather, are underway for Kamloops but there is not too much in the north.

Mr. Minister, you have got to get some more mobile testing units and properly staff them. I would say it would not be unreasonable to suggest that right off the bat we should buy four or five.

Apart from that, this programme of motor vehicle inspection and testing can readily be programmed into all of the areas of the province. In my view, we don't have to go ahead and build a raft of expensive structures. You can utilize existing public structures for that purpose or you can utilize the existing gas stations and service stations in order to do that particular kind of a job. But we have got to have this testing done on a compulsory basis throughout the province. In the hinterlands — in the outlying areas — if they require more time, which would only be fair, to come to the stations to comply with the compulsory nature of the thing that I'm suggesting, let them have that time. But for God's sake, Mr. Minister, make sure that no longer are we going to have to feel that we are driving down the highway with over 37 per cent of our cars in a situation of being rejected and unroadworthy. Too many lives are lost, and you have the capacity to prevent that loss of life.

I would like to say just one word about drinking and driving before I sit down. I don't know who was responsible for this advertising programme, but whoever was responsible for it I think is owed a great vote of credit by all of the Members of this House, and certainly by the public of the Province of British Columbia. It is the non-drinking-driving advertisements that were coming over the airwaves, I believe, during the last major holiday season, the Christmas holidays. They were excellent, and they brought the point home; and that is the only way it

[[Page 3602](#)]

can be handled.

AN HON. MEMBER: The Motor-vehicle Branch.

MR. GARDOM: Three cheers for the Motor vehicle Branch for doing exactly that! It was a first-class job. We have got to have one policy, and one that has to be continually proclaimed. It is not enough to say you are going to bring the policy in and it is there. This is something where repetition pays off, and that policy has got to be loud and clear.

You have got to be sober to drive, or keep off the road in B.C.

I continue to criticize the fine system. I have always felt that it is a very unfair and rotten yardstick. Make no mistake of that fact. I think that there should be some form of custody for a person who is convicted of drinking and driving — not necessarily jail. Perhaps it could be some sort of social agency custody, say spending some time in a hospital performing a function, or a community centre or wherever it may be. But that person should have to spend some degree of time, certainly through the daylight hours, for his transgression.

In order to continue to bring the point home to the general public, Mr. Minister, you should right now come out with a programme whereby in every gas station and every gas pump in the province, in every liquor outlet in the province, the warnings are posted; the penalties are shown for drinking and driving; the impairment levels are stated there so people will know what they can consume, know what they are not permitted to consume and know without question the penalties that they will have to face. And they should face those penalties.

HON. MR. STRACHAN: I want to thank the Member for his helpful suggestions at the end of his speech. I will certainly give all of them serious consideration. I agree with much of what he said.

The defensive driving course I agree should be all over the province.

I want to assure him that I did take notes of his previous speech. There they are, away back there, with the name Gardom right up at the top. Back as far as that. So I did make notes last time.

MR. GARDOM: You left out the adjectives.

HON. MR. STRACHAN: I am not responsible for Jess Odam's interpretation of the law, and I won't accept

Mr. Odam's interpretation.

Interjection.

HON. MR. STRACHAN: I say I am not responsible for what Jess Odarn says.

AN HON. MEMBER: It is wrong?

HON. MR. STRACHAN: Wrong? I don't know. I don't know what Jess Odam said. I would have to read the article myself carefully.

I don't know what law suit you were talking about under that section. You asked me about something political. What was it that you wanted to know that was political?

MR. GARDOM: Was it a political decision to can Mr. Adams?

HON. MR. STRACHAN: No. It wasn't political.

MR. GARDOM: Was it an administrative decision?

HON. MR. STRACHAN: High school teacher driving course. Through a grant from ICBC we enabled — I am answering your question, Mr. Member — we, through a grant to the safety council, enabled high school teachers to get the driver-training course so that they could teach the students. It is my hope that eventually we will have it all through the province. We are continuing to help with that programme so they can do it economically.

I'm sorry the Member rejected my offer to table the Adams documents this afternoon.

MR. GARDOM: Oh no I didn't.

HON. MR. STRACHAN: Yes, you did. You rejected my offer.

MR. GARDOM: That is not correct.

HON. MR. STRACHAN: Yes, you did.

MR. GARDOM: Oh, brother!

HON. MR. STRACHAN: You asked me a question: why is the land twice the cost of the buildings?

Interjection.

HON. MR. STRACHAN: I am trying to answer your question: why is the land twice the cost of the buildings? Because up until that particular time the buildings hadn't been completed. After you get all the buildings completed, that will bring the thing back into ratio again.

How much are the expected claims? They are within the projection that we have allowed. But you know, Mr. Chairman, in finishing answering....

Interjections.

[[Page 3603](#)]

HON. MR. STRACHAN: After two speeches from that Member and a number of other speeches from other Members about public information, public corporations, I would like to quote to the Member from *Hansard* of May 2 — the Ottawa *Hansard* of May 2...

MR. PHILLIPS: We're in British Columbia.

HON. MR. STRACHAN: ...where a Liberal spokesman in the House, the parliamentary secretary to the Minister of Transport in Ottawa....

Interjections.

MR. CHAIRMAN: Order, please.

HON. MR. STRACHAN: Mr. Member, would you like to listen? This was the parliamentary secretary to the federal Minister of Transport, answering a question in the House of Commons on May 2 of this year. And what does it say?

He is replying to a Member of the opposition who wanted information about a Crown corporation. He says: "However, I doubt very much whether my honourable colleague has directed much thought to the long-term repercussions of taking such a step." He's talking about divulging this information.

Interjections.

HON. MR. STRACHAN: You don't want to listen, do you? You don't want to listen to the Liberal position in Ottawa.

"After all, regardless of other considerations, we must ask ourselves whether in this House we want to open to scrutiny all documents which have been drawn up on the understanding that they would be immune to public disclosure.

"Does this House want to set a precedent which might undermine the whole system under which so many of our vital Canadian Crown corporations have negotiated their business in the past?"

Wasn't that a terrible thing? That is the attitude the Liberals in Ottawa take about Crown corporations. But we get this unctuous, self-righteous speechifying from the Liberal Members across the way.

Interjections.

HON. MR. STRACHAN: Come on now! Thank you very much; I think you have done a very fine job this evening. I appreciate your efforts.

MR. WALLACE: Now I know I am in trouble, when I get the government cheering me. I just have one or two simple questions to ask.

Mr. Chairman, I would like to ask a few questions about the whole manner in which the insurance of motorcycles has been handled by the government, or by the Minister and his department.

Again, in referring to Autoplan, I have to reiterate one of the fundamental reasons that we have Autoplan. That is that it was an election plank, based on two claims by this party that they could provide more efficient, better coverage at lower cost to the consumer. Now that is clearly on the record. And, as I pointed out in an earlier speech, it was a political motive and an economic one. Politically it was attractive to win votes by promising the consumer a better service and at a cheaper price.

What did we find as far as motorcycles were concerned? After all the claims this party has made about the private companies ripping off the consumer by way of insurance, we have the Minister stating publicly a short time ago that in fact the private companies had been charging far too little in premiums to cover the costs of insurance for motorcycles.

This I think, Mr. Chairman, is really quite a revelation because, as I say, there was never the slightest suspicion in the election campaign of 1972 that some of the private companies might be charging too small a premium. All we heard was that the companies were not efficient, and that in fact there were abuses of the system, such as investment of prepaid premiums and that there really wasn't competition; and there were many other complaints.

But the basic promise by this party in opposition was that they would bring in a government-sponsored plan which would provide a better programme of insurance — and at less cost than was being provided by the private industry. The Minister of Highways (Hon. Mr. Lea) agrees with the premise that I have outlined. So does the Minister of Labour (Hon. Mr. King). Any more claps? The Minister of Health (Hon. Mr. Cocke). Any advance on three?

HON. R.A. WILLIAMS (Minister of Lands, Forests and Water Resources): If you'll sit down.

MR. WALLACE: Oh, I know you'd like me to sit down because I'm getting back to a little bit of truth.

Interjections.

[Mr. G.H. Anderson in the chair.]

Maybe "truth" isn't the word. Fact. Let's just stick to the facts.

AN HON. MEMBER: Now, I'll let you sit down.

MR. WALLACE: That's what they do on

[[Page 3604](#)]

"Dragnet." They stick to the facts.

The fact is this was a basic plank in the platform. When the rates were finally published.... I'm sure any Member of this House could quote from a great deal of their correspondence. I've just picked one from the motorcycle file at random.

"I wish to bring this matter of insurance on motorcycles to your attention as my MLA. I along with many others are most upset at the increased rate on motorcycles. I am most certain that by the end of 1974 the motorcycle industry in British Columbia and all other small, mobile machines will be crippled due to the Insurance Corporation Act. This year with basic \$100,000 liability, plates, basic coverage with no collision, I shall pay \$100. Last year my insurance was \$52.

"I understand that a petition (et cetera, et cetera) is being circulated to the Minister."

There are many other letters on the same theme whereby the writer quotes what his premium was last year and what it's going to be this year.

I know well that the Minister received the brief. Setting aside for the moment the comparison of rates in British Columbia this year with last year, on page 2 of the brief they pick out what they call "heavy classification of motorcycles." They compare, let us say, the person aged 16 who in British Columbia would be paying for PL/AB coverage \$208, whereas in Ontario the figure quoted is \$169 and in Alberta \$131.

On that basis also, I wonder if the Minister could perhaps comment on the validity of these figures. In other words, if it costs \$208 in British Columbia under Autoplan, why should it be \$169 in Ontario? The same kind of difference exists in other age groups.

I think it also would be important to have the Minister tell us what figures and statistics he was using to come up with this dramatic public announcement that the private companies weren't charging enough. That's certainly a 180-degree turn from the claims before the election day in August, 1972. It is indeed causing a lot of concern to young motorcyclists.

Since the Minister of Health got in the act with a little bang on his desk a minute ago, I think it's only fair just to comment on the statement the Minister of Health made a little time ago on the question of advising people not to use motorcycles because of the heavy morbidity and mortality that arises from their use.

We certainly know that motorcyclists sustain many accidents. When a motorcycle and a car are in a collision it is not hard to understand who comes off second best. But I think we should make it plain that in a large percentage of cases that have been studied it is certainly the majority of cases where the motorist is to blame. He has four walls of metal around him and the motorcyclist is very vulnerable. Because motorcyclists are involved in many accidents that take up hospital beds, I wonder if it is fair to assume that for some reason or another people should be unduly penalized because they use a motorcycle and should pay very high insurance.

Of course, if we are going to adopt the no-fault philosophy that certainly changes one's approach to a degree.

On the other hand, though, I think the Minister of Health was thinking purely in terms of trying to help the motorcyclist maintain his health. The statistics I've seen quoted certainly indicate that quite often, in the majority of cases, it is not the motorcyclist who is to blame for the accident, but he or she is certainly the vulnerable party inasmuch as they get thrown from the cycle and quite often are seriously injured.

The Minister could give us some answers, perhaps. First of all, what, if any, compromise has been reached? I know the motorcycle industry and the motorcyclists met with the Minister I think about a month ago. I would like to know if any compromise decisions have been made to reduce the original rates that were announced and which I am quoting from in the brief.

Secondly, what statistics from private industry was he using to make the statement that the private insurance companies were not charging enough for the premiums?

The other related point in Autoplan, in relation to motor vehicles, from another series of letters which I think we have probably all had, is the question of the insurance on an older vehicle where the person maintains the vehicle and perhaps buys a vehicle only every 8 or 10 years.

This man writes a letter pointing out that he is paying a great deal of insurance for a 1962 six-cylinder compact sedan and he is only paying \$10 less than the young man next door with a 1972 V-8 Duster which is approximately seven times the value of his car. I needn't go into all the details on this one either but he asks the question: is the relationship which his insurance bears to the value of his car not rather high compared to the kind of cost of repairing a supercharged V-8 sports car? He also adds the fact that it is very clear that, while the younger driver has had his premium rates reduced in large measure, it has been at the expense of the age groups over 25 who are either paying more for their insurance or certainly have not had it reduced by the 20 per cent which the Premier promised in his election platform of 1972.

Perhaps the Minister could comment on these two points: To what degree is the rate on an older car high compared to the rate charged for a powerful 1972 or 1973 model? To what extent would he agree that the reduction of rates for the under-25 driver has

[[Page 3605](#)]

been achieved at the expense of some of the people in the age groups above 25?

This was a point I raised in this House a year or so ago when we went down to Winnipeg and talked to people in the Autopact plan and talked to citizens at random on the street. The most frequent comment we encountered was that the younger person was quite happy with the government automobile insurance because they were paying less but, almost without exception, the person in the middle or older age group made the comment that they were not paying any less. It was clear they were subsidizing or, at least, the rates had not been reduced for them in order to make it possible for the younger driver to have cheaper insurance.

The last point I would like to raise is the question of cablevision. The Minister has recently been in conference with other provincial Ministers and there was a release in the newspaper yesterday. I wonder if the Minister can be more specific than he was in his press release as to the specific kind of progress which he feels was made in seeking federal agreement to the transfer of authority to the provinces in regard to cablevision.

This government is on record as being interested in the little man and the individual. There are a lot of individuals in apartments who find that once the apartment is converted to a condominium they are immediately hit by the owner of the apartment stating that there has to be individual increases in the cost of providing cablevision to that building.

Again, there is no need to go into all the details but I have one particular case documented here. I think the Attorney-General might be interested and I can go into this in private with him if he wishes. Finally, the owner of this particular apartment just simply stated that service would be discontinued by a certain date if they didn't pay another \$2.50 per unit per month. I have been in touch with the CRTC and you get the usual sort of runaround: this is, of course, under discussion and they are going to hold public hearings, et cetera, et cetera.

This is obviously a very contentious matter, this question of cablevision and where the jurisdiction should lie. I wonder if the Minister could tell the House what point we are at and where do we sit with the present Liberal government? Presumably you can't answer this if the government changes federally, as I am sure it will, but where do we sit at the present time?

I just remember one other question since the Attorney-General is here perhaps to help you out. Is it possible for vehicles entering from outside of British Columbia to drive on the highways without valid public liability insurance?

If this is the case, what is the legal position of someone who is injured or killed by a vehicle from outside British Columbia which does not, in fact, carry any form of valid public liability insurance?

HON. MR. STRACHAN: Going backwards on your question: to the best of my understanding it is possible for someone from outside the country to drive without valid driver's insurance. It depends on the law of the state in which the individual resides, and we would have to check every car coming into the province, have a customs bar, to be sure that no one from outside the country was driving. We have reciprocal agreements all across the country, and it is now uniform across the country that you must have valid insurance to drive in any Canadian province. I think there still are some states which haven't got mandatory insurance provisions, so it is possible for it to happen.

The CRTC hearings on the matter of the rates on these condominiums, being held June 19 in the Empress Hotel, are the direct result of the complaints and requests made from me to the CRTC about this whole situation.

I did discuss earlier today, I think it was, the situation with regard to the meetings we had on Monday and Tuesday, when I pointed out that I really can't be more specific because it's the country-wide discussion between provinces, and there are still some final background to be prepared and final decisions to be made. Normally you don't, until you present them to the federal...because this was just the provinces, you see. We're moving towards determining our position before our next meeting with the federal Minister, whoever he may be. I wouldn't disagree with what you said about any change that might take place. So it is difficult for me to.... I'd really be breaking confidence with other Ministers if I said we did this and did that. I'm sorry, but that's the way it is.

Interjection.

HON. MR. STRACHAN: Oh, I will say this: they have continually claimed complete federal jurisdiction as an extension of the Aird Commission recommendation back in 1926. They tried to say cablevision is the same as radio. They are basing this on the Aird Commission decision arising out of the Aird report back in 1926. All of the provinces are completely dissatisfied with that reaction. All of the provinces.

How much have older drivers, younger persons...? Well, the young driver stands on his own record according to his points. Young drivers stand on their own records.

There may be an anomaly in that when you compare that older car to the 1972 V8 Duster. There may be an anomaly there, and I would appreciate it if you sent that particular information because there are some anomalies that are in that VIC code — it is

partly due to the classification by the manufacturer.

The motorcyclists — our rates there were based primarily on Green Book statistics, the raw data, supplied to us by the private insurance companies. In the October issue of the *Canadian Underwriter* which I haven't got with me, is where there was a clear indication that the motorcycle rates were going to be increased by private industry. They are looking at the whole Canadian picture and in that report they point out that only in the previous two years have they started to separate motorcycle records from the general records. So for the first time came this realization that the cost of motorcycles to the insurance business was a much larger factor than they thought it had been in the past.

The comparison between Ontario and Alberta, I don't know just how valid those claims are. I point out that in both Alberta and Ontario they cannot drive their motorcycles because of the different weather conditions in those two provinces — it's an eight months of winter thing.

There are parts of British Columbia which have the same kind of weather, but as you know, 75 per cent of the population of this province is on the lower mainland or the lower half of Vancouver Island where they can drive a motorcycle for a much longer period of time than they can.... This may be-a factor in the difference. But what....

Interjection.

HON. MR. STRACHAN: Now, okay. I know they get a rebate.

Interjection.

HON. MR. STRACHAN: Why don't I do that here? Again, Mr. Member, I wish you would listen to what I have said over the months that this has been.... The private insurance companies last year stopped giving rebates to drivers who didn't....

Interjection.

HON. MR. STRACHAN: Just listen to my answer. The private insurance companies stopped giving rebates, but ICBC reintroduced rebates. They can get rebates. Why do you ask me why don't I do it here? We are doing it here. I think that answers the question.

MR. WALLACE: My question is: why were the motorcycles not included in the refund programme similar to the motor vehicles? This was another bitter point of contention that I omitted to mention. Presumably many motorcyclists own the same vehicle under the same circumstances, driving in the same area, that they did last year. What was the government or the Minister's reason for not including the motorcyclists in the refund programme?

HON. MR. STRACHAN: As I say, because in our opinion, according to the data we were given, the rates have been way too low for the cost experience. This is according to the information given to us by the private insurance companies. It was too far out of line.

MR. WALLACE: Well, Mr. Chairman, with respect, if the rates were too low, these were rates that were too low being paid to a private company. They haven't been too low paid to the government. If anybody was losing money last year it wasn't the government. You weren't providing the motorcycle coverage. It was the private companies. At least you would agree then that the private companies were losing money on motorcycle insurance.

HON. MR. STRACHAN: That's according to their figures, yes.

MR. WALLACE: Those figures you accepted in determining rates for the future, and therefore the contention that all private companies were ripping off the consumer, was inaccurate.

HON. MR. STRACHAN: Not all the companies in every case, but in this particular case. As I say, the

insurance companies have just realized themselves that there was an imbalance in the cost factor contributed to motorcyclists.

MR. PHILLIPS: I just have three short questions for the Minister. I would like the Minister to explain to me.... I've asked this question before and still haven't had an answer.

HON. MR. STRACHAN: Well, every time I get up you are out. Go ahead, ask the question. I'll answer them. (Laughter)

MR. PHILLIPS: Well, I have to go out, the same as you do. Of course, Mr. Chairman, I've noticed that the Minister has had to leave the House from time to time, but I remember one time that I was kept in this House from 2:30 in the afternoon until 9:30 at night without even going out...

HON. MR. STRACHAN: That was your decision.

MR. PHILLIPS: ...to eat, drink, or...

HON. MR. STRACHAN: Be merry.

MR. PHILLIPS: ...look after other necessary duties.

[[Page 3607](#)]

HON. MR. STRACHAN: That was your decision.

MR. PHILLIPS: That was your dictatorial decision, of your government, Mr. Chairman.

HON. MR. STRACHAN: Go ahead — what are your three questions?

MR. PHILLIPS: My three questions: Will the Minister please explain to me...justify why he is going back for three years to impose a fine on people who, when they received points, at that time did not know they were going to have to carry the burden of those points 36 months later? The Minister was out when I pointed out — and if he wants to dispute these figures, let him dispute them — that contested traffic tickets in the Province of British Columbia skyrocketed 80 per cent.

AN HON. MEMBER: Oh, oh!

MR. PHILLIPS: This is an article in *The Province* dated February 5, 1974. And I'll read it again for the sake of the Minister, because I think he was out when I read it the first time:

"The number of traffic violations charges being contested shot up 80 per cent because of the linking of driver's licence costs with the demerit points system, court officials say.

"Under the provincial government's Autoplan, drivers with five or fewer demerit points pay a basic \$10 fee for licences. Those with six or more points will pay \$10 plus a dollar equivalent to the square of the total number of points, giving a total cost for the driver with six points, for example, of \$46, or one with seven points, \$59."

As I pointed out, Mr. Minister, a person who has committed a crime in the last 36 months and has paid his debt to society is far better off than the person who willingly accepted demerit points on his driver's licence not knowing that this dictatorial socialist government was going to bring in this fine. And that's exactly what it is; it's a reinstatement of a fine. The absolute reinstatement of a fine for having a driving offence.

MR. CHABOT: A double penalty.

MR. PHILLIPS: Why don't you just reinstate the fine and let the money go to the government? That's exactly what it is, Mr. Chairman. It's a fine.

MR. PHILLIPS: Mr. Chairman, there is a complete double standard because when it comes to the rebate — and I've asked you this before, Mr. Chairman, and you haven't tried to justify it and you haven't tried to answer it — you're only rebating certain people. But in the case of many of those people who are paying excessively high premiums you did not take into consideration their previous driving record or their previous accident record. I want to know why, Mr. Chairman.

I would like to quote from an article in *The Province*, dated the same date — Feb. 5 — where this double standard comes in. It says: "One in Five Drivers Due Rebate — Autoplan Refund System Outlined."

"About one in five Autoplan motorists is paying too much for his ICBC insurance but he may not get a refund unless he insures before the March 1 deadline. This was the message from ICBC general manager, Norman Bortnick, Monday as he announced details of the government agency's promised refund programme.

"Special refund application forms will be made available early in March at Motor Vehicle Branch offices throughout British Columbia, he said. These, accompanied by previous insurance documents showing the automobile cost to be higher must be sent to ICBC's Department R for refund.

"Strictly according to the rules as set out by Bortnick, anyone failing to meet the March 1 deadline would be ineligible for a refund even if he made no attempt to drive his car until he obtained the required insurance. But an ICBC spokesman said later that the issue is still being discussed with Autoplan agents, implying that a firm decision is not yet made. It would be pretty hard, for example, he said, to cut off someone who was out of the country for the winter to tell him he can't get a rebate even if he has proof that he is paying more.

"But in any case, the comparison used by a motorist to make his case for a refund must involve the same owner, using the same vehicle, the same way, in the same territory. Commercial vehicles, taxis, leased and fleet vehicles, trailers, motorcycles, farm trucks, and tractors, unlicensed vehicles and camper bodies are excluded."

So you have a law for one group of citizens and another law for another group of citizens. You are going retroactive on points on driver's licences, bringing in a fine, but anyone else other than an individual motorist you are excluding from a refund. When you advertised your insurance plan, as I said this afternoon, you said it would be cheaper and you didn't say just for some people, Mr. Chairman. The Minister didn't say just for certain classes of people. He said for everybody. Why are not all people who are paying more this year than they did last year, regardless of their accident ratio, entitled to a refund? Why are they not entitled to a refund, Mr. Chairman? Those are two questions, and they are very

[[Page 3608](#)]

important questions. They are interrelated because you are going back in one case putting a surcharge and a tax on those who may in some cases have taken points on their driver's licences, not knowing that this dictatorial socialist government was going to impose this fine; in the other case you are giving refunds to certain people and no refunds to other people, even though their accident ratio may have been nil. Why do we have this double standard?

Mr. Chairman, under the *Canadian Bill of Rights* it states:

"It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion, or sex, the following human rights and fundamental freedoms, namely:

...the right of the individual to equality before the law and, the protection of the law."

Interjection.

MR. PHILLIPS: Now, there's the Minister of Agriculture (Hon. Mr. Stupich) coming in, and he's sort of indiscriminate. Do you want me to quote the Bill of Rights to you, and Bill 42?

No, Mr. Chairman, this government has complete disregard for the Bill of Rights and established rights of individuals. Many, many citizens of British Columbia fought and died for the right of equality. This country was founded on the right of equality, and this is the law, Mr. Chairman, because it's brought in by the people's Insurance

Corporation of British Columbia and they bring it in indiscriminately and they say: "This is the law."

So in essence it is the law, and certainly the Insurance Corporation of British Columbia should come under the Bill of Rights of Canada. If not, why not, Mr. Chairman? I ask you. There are inequalities. I'd like the Minister to explain why. How does he justify this inequality in these two cases — going back in one case, not going back in the other case?

My third question, Mr. Chairman....

Interjection.

MR. PHILLIPS: My third short question....

HON. MR. LEA: Your third short final question?

MR. PHILLIPS: I'll ask all the questions I want, Mr. Minister of Highways (Hon. Mr. Lea). I'll ask all the questions I want.

At the present time we still have a few rights. Democracy is still alive in British Columbia. I realize it's going to die in a few days. I realize when you bring in that report and you curtail debate in this Legislature that democracy is going to die. The final thrust by that socialist government to kill democracy in British Columbia is coming. I know it's hanging over our heads. But while in this Legislature we have the freedom of debate, Mr. Chairman, still in British Columbia, let's enjoy those hours of freedom because they're passing swiftly.

MR. CHAIRMAN: Order, please. Would the Member please ask his third question?

MR. PHILLIPS: You want me to ask the third question?

Interjections.

MR. PHILLIPS: Would you bring those Members to order over there, Mr. Chairman? I can't talk with all that yappety yappety yapping from the Minister of Health (Hon. Mr. Cocke) and the Minister of Lands, Forests and Water Resources (Hon. R.A. Williams). How can I concentrate?

Mr. Chairman, I would like the Minister to advise me if the Insurance Corporation of British Columbia is going to be used in the Premier's plan to bring assistance to the motorists of British Columbia to help put their automobiles on the road at a lesser price.

Now maybe the Minister will answer those three questions.

HON. MR. STRACHAN: The first question is: could I explain why I went back three years? I've explained that three times already. The insurance companies did it. They searched the records and assessed an individual's insurance on the basis of his record. Remember that it was done under the private insurance companies. There was a division of income between those who had bad driving records and those who had good driving records, and had we not done that then those with the good driving records would have to pay more. It was based on the data provided to us by the insurance companies which included good drivers and bad drivers. Now that explains that for the fourth time.

When it comes to rebates, why only certain people? I think if you check the record, to the best of my recollection, any time I spoke about rebates I talked about private passenger automobiles only.

Is ICBC going to help reduce the cost of operating an automobile? The prime function of ICBC is to help reduce the cost of operating an automobile. That's why we went into the business, and we'll continue to work at it.

MR. PHILLIPS: Yes or no, Mr. Chairman — is it involved in the plan that the Premier's going to bring in, and is it going to be announced tomorrow night

after you receive your estimates? That's what I want to know because we have a right to know before you receive your estimates. Now, give me a yes or a no.

HON. MR. STRACHAN: I've given you my answer. I don't speak for the Premier.

MR. PHILLIPS: Well, Mr. Chairman, this Minister knows whether his insurance corporation is involved in this plan that the Premier is going to bring down and he's just waiting and the reason it hasn't been brought down before is because he's waiting to get these Minister's estimates through so that we won't have the opportunity to debate it on the floor of this Legislature, Mr. Chairman. That's the reason. And I want an answer. Yes or no. Because you know, Mr. Minister. You could tell us — yes or no. I'm not asking you to divulge the plan.

Does the Premier run the Insurance Corporation of British Columbia? I'm sure if the Insurance Corporation of British Columbia is involved he would have come to you and you would have worked out the plan. I want to know — yes or no. Yes or no, Mr. Chairman. I want the Minister to answer me yes or no. Is the Insurance Corporation of British Columbia involved?

HON. MR. STRACHAN: I've answered!

MR. PHILLIPS: You haven't answered! You've half answered!

MR. CHAIRMAN: Order, please! The Minister can be asked a question. There is nothing that says he must answer yes or no.

MR. PHILLIPS: I have the right to ask a question. I'm going to ask it again.

HON. MR. STRACHAN: I've already answered the question.

MR. PHILLIPS: You haven't answered my question. I want a yes or no. No sir, it's the same old game that you've been playing with this opposition since this Legislature started, since you became government!

HON. MR. STRACHAN: You want a yes or no?

MR. PHILLIPS: Yes.

HON. MR. STRACHAN: Yes or no! (Laughter.)

MR. PHILLIPS: Facetious, arrogant, dictatorial, one-handed!

AN HON. MEMBER: Uppity! (Laughter.)

MR. PHILLIPS: Oh, Mr. Chairman, there's the Minister of Consumer Services (Hon. Ms. Young) making her hands go. I'll tell you it sounds better than her mouth.

SOME HON. MEMBERS: Oh, oh!

MR. PHILLIPS: However, Mr. Chairman, if doing her job, she'd be getting after that Minister of Transportation and Communication for misleading the people of this province on lower insurance rates. More broken promises, but no....

HON. MR. LEA: Are you Pisces?

HON. MR. STRACHAN: No, he's Leo or Taurus.

MR. PHILLIPS: It's a double-standard government. If the insurance companies, Mr. Chairman, were going

back three years checking the drivers' records, why are contested traffic tickets up 80 per cent? You know why, Mr. Chairman. The Minister knows why and he can't justify it.

Why is not everybody in British Columbia who is paying more insurance this year justified to a rebate as well as the individual car owner? Why isn't everybody justified? The Minister said he didn't mention it. I'm asking him why. Why is a fleet owner not justified? Why is a family owner with more than one car... why is the person who has a half-ton as a family car not entitled to a rebate? Why, Mr. Chairman? Would you care to answer that, Mr. Minister?

HON. MR. STRACHAN: I have already answered that question very, very clearly. I have explained to this House how the fleets operate under an altogether separate operation from the passenger vehicle. I have explained all that to you not once, but four or five times. You already knew it. You are just simply asking questions and repeating the same old questions for some fell purpose that only you can account for.

MR. PHILLIPS: I think that is a personal affront, Mr., Chairman. I am asking the question because I want the answer, and the Minister has not given the answer.

HON. MR. STRACHAN: I did.

MR. PHILLIPS: You have not! You haven't justified why some people in this province should pay more insurance under your plan than they paid under a private plan.

MR. CHAIRMAN: Order, please.

MR. PHILLIPS: You have not justified that.

[[Page 3610](#)]

MR. CHAIRMAN: Order, please.

MR. PHILLIPS: You haven't given me any reason why you have, not one.

MR. CHAIRMAN: Will you sit?

Interjection

MR. CHAIRMAN: Order, please.

MR. PHILLIPS: Why do I have to sit down? The Chairman made me sit down; it must have been on a point of order or something, and I would like to know why. Explain your....

MR. CHAIRMAN: If the Hon. Members will be seated, I have a few comments to make on calling for that point of order. Will the Hon. Members of this House please address the Chair?

HON. MR. STRACHAN: Mr. Chairman, 12 months ago legislation was introduced into this House to set up the Insurance Corporation of British Columbia. That legislation was passed by this Legislative Assembly.

I made perfectly clear at that time how the insurance corporation was going to operate, how the automobile insurance part of that was going to operate. It received the endorsement of this House. It was supported by the people despite the statements that were made by the opposition — the misleading statements, the untrue statements, the completely erroneous statements, the fervent hopes and prayers that it would never get off the ground. They went on and on and on.

For the first month of this session, Mr. Chairman, I had to stand in this place day after day after day under a barrage of questions, hopes, prayers, and pronouncements from across the way — "You will never make it work; it will be chaos; you'll never get your service; you won't have your claim centres ready; you can't serve the people." It was a most amazing experience, Mr. Chairman.

Thursday was the last day of February, and the gloom and doom boys had been hounding me day after day after day for a month that we would never get it going by the 29th — Thursday was the 28th. The press of this province sent the photographers out to the Motor Vehicle Branches, where year after year there had been line-ups at these Motor Vehicle Branches. They predicted doom, gloom, chaos. "You can't do it." The press went out to get the photographs of this chaotic situation, but all they could get were pictures of empty wickets because we put the thing on the road. We put it on the road despite the attempts of that opposition to undermine and destroy it, despite the lack of cooperation from the private insurance companies — despite their attempts to undermine it, delay it, warp it and destroy it — despite the \$100,000 campaign they embarked on to try and upset the people of the Province of British Columbia. We got that thing on the road. We got it on the road.

Anyone who knows a single thing about the organization of a business from one side of this country to another will say this is the greatest business organizational effort that has ever been done in Canada. There's the man who did it.

MR. GARDOM: Where are the facts?

HON. MR. STRACHAN: The facts are there. You ask any man who knows anything about the organization of a business.

Mr. Chairman, I've said it before and I will say it again: Being in opposition is fine; criticizing the government is fine. But if you are going to be opposition and do your role as opposition effectively and in a worthwhile manner, you must have some loyalty to this province. To this day I am waiting for any exhibition of loyalty to this province on the part of that opposition.

We are building an organization that is changing the economic base and strengthening the financial fabric of British Columbia, and every Member in this House should support that because it is in your interest. It is in the interest of every citizen of this province to strengthen the economic base and strengthen the financial fabric of British Columbia. That is what this corporation will do. You've opposed it. You've belittled it. You've tried to destroy it. You're still trying to destroy it. But we will carry on because the people of this province realize....

As I said earlier, every opposition party has said that if they get elected in the next election they will destroy the Insurance Corporation of British Columbia. The private insurance companies made it public. The spokesmen for the private insurance companies made it public that every opposition party had assured them that if any one of them were elected they would go back to private enterprise competition and destroy the ICBC. That's what you're stuck with. Where is your loyalty to British Columbia?

Let me tell you, this is the greatest thing that has happened in the Province of British Columbia for many, many years. I want to tell you, Mr. Chairman, that despite the doom and gloom boys, despite the fact that they have taken up praying at night before they go to bed that it won't succeed, this corporation will grow, prosper and become one of the most outstanding economic efforts that will bring great benefits to every citizen of the Province of British Columbia. We will tell them what you tried to do to us.

[[Page 3611](#)]

The House resumed; Mr. Speaker in the chair.

MR. CHAIRMAN: Mr. Speaker, the committee reports progress and asks leave to sit again.

Leave granted.

MR. SPEAKER: Before you adjourn I would like to say that tomorrow I am going to ask the Deputy Speaker to take my place in the morning. I'm afraid I shan't be here. I will be thinking of you. My prayers will earnestly follow all of you. I'll be back on Monday.

Hon. Mrs. Dailly moves adjournment of the House.

Motion approved.

The House adjourned at 11 p.m.

[Return to [Legislative Assembly Home Page](#)]

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