February 15, 2011

Mayor Bob Bratina
City of Hamilton
Hamilton City Centre
77 James Street North
Hamilton ON L8R 2K3

Your Worship,

As you may be aware, recently the Ontario Government posted its Proposed Integrated Accessibility Regulation for public comment between February 1 and March 18, 2011.

The Ontario Human Rights Commission is very pleased to see that effective this July 1st all new or used transit vehicle purchases or acquisitions would need to meet the accessibility standards set out under Part 4 of the Proposed Regulation.

In the interim, we strongly encourage that public transit providers and other organizations not sign contracts for inaccessible transit vehicles. Otherwise, such vehicles could be subject to an application (complaint) before the Human Rights Tribunal of Ontario, particularly in light of the 2007 Supreme Court decision in Council of Canadians with Disabilities v. VIA Rail Canada.

The Commission will be further examining the transportation and other standards under the Proposed Regulation in light of a number of concerns we raised last October regarding the initial proposed regulation and will comment publicly before the March 18th deadline.

Yours truly,

Barbara Hall, B.A, LL.B, Ph.D (hon)
Chief Commissioner

CC: Hon. Madeleine Meilleur, Minister of Community and Social Services
    Hon. Kathleen Wynne, Minister of Transportation
    David Lepofsky, Chair, AODA Alliance