

BILL 50 COULD MAKE VEHICLE LICENSING AT DEALERSHIPS A REALITY

It's long been one of the most frustrating experiences for dealers and their customers alike ... delays caused by waiting in long lines at Service Ontario Licensing Offices.

In today's modern digital world, the paper driven licensing and registration process, involving lining up or dropping off registration transfer and licensing applications for pickup later, is truly archaic.

There's been lots of talk about modernizing the process for years, including enabling dealers to issue and transfer vehicle registrations and to licence vehicles on the spot at the dealership.

Quebec has allowed in-dealership registrations since 2002. Some dealers in Prince Edward Island and New Brunswick are also able to register and plate vehicles without leaving the dealership.

A pilot project was initiated by the provincial government way back in 2011 at dealerships in Belleville and Peterborough. The dealers involved were successfully able to register and plate customers' vehicles in-house, slashing hours off of the normal registration processing time. The pilot project was widely hailed as a success. MTO even announced on its web site that the project would roll out to dealers in 2013. Needless to say it didn't, apparently due to cost and technology concerns.

In 2015, Progressive Conservative MPP Steve Clark introduced a private member's bill to amend the *Highway Traffic Act* to allow in-house registration and licensing to happen. The Bill died on the order paper of the Liberal government.

Today, Steve Clark is the Minister of Municipal Affairs and Housing in the Conservative government. The torch has been taken up by Mike Harris, MPP for Kitchener-Conestoga, and the son of the former Ontario Premier of the same name.

On October 30th, he introduced Bill 50, the *Cutting Red Tape for Motor Vehicle Dealers Act, 2018*. It is also a private member's bill, but it is expected to pass after debate in the Legislature. After that, regulations will still need to be developed before it becomes law. This may take some time, but passage of the Bill will be the first step.

The UCDA has met with Mr. Harris to express our support for the Bill.

We anticipate that there will likely be significant security requirements and precautions that dealers will be expected to fulfill in order to qualify to issue permits and plates. Some of these procedures may be costly, such as installing secure doors and safe storage areas, so many dealers may not qualify, at least not immediately, to participate in an in-house program.

However, even dealers who are unable to use the process, will benefit from shorter lines and reduced wait times at Service Ontario offices, if high volume dealers are able to complete transactions in-house. Everyone who uses in-person Service Ontario services will be a beneficiary of the new system.

Second reading in the legislature and debate on Bill 50 is expected on November 22. Members who wish to send their support for the Bill and comments to Mike Harris can do so by emailing him at mike.harris@pc.ola.org.

UCDA Searches

The MVDA requires you to disclose important facts about vehicles you sell. UCDA Searches can help.

Carfax Canada

- Damage claims and repair estimates
- Police collision reports
- Canadian and U.S. vehicle registration and branding
- Auction sales disclosure info, available service records and recalls
- UCDA Accident Claims Report included at no charge
- Both reports - \$34.50

Auto Check™

- Checks the Insurance Bureau of Canada for damage claims
- Branding information
- Out-of-province registration information
- U.S. import disclosure
- CPIC stolen vehicle check
- \$8.00 per search

Ontario Lien Search

- Checks for registered Ontario liens
- Prices start at \$12.50 per search and volume discounts apply when more than 4 are done in one month. (i.e. \$12.00 per search for 5-9, \$11.50 for 10-19, etc.)

Out of Province Lien Search

- Prices vary by province. Please contact the UCDA for complete pricing

Ontario Vehicle Owner History

- Shows the name and municipality of registered Ontario owners
- The date of ownership, plate numbers and the last passenger class vehicle odometer reading reported to MTO
- \$16.00 per search

Power Pack

- Ontario Lien Search, Auto Check™ and Ontario Owner History report for just \$29.00.

LIEN SEARCHES

Volume Discounts

Auto Check ... \$8.00

Carfax Canada ... \$34.50 • Owner History ... \$16.00

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Certificate of Indian Status Cards

The Only Card For Tax Exemption

We have written extensively about "Certificate of Indian Status" cards, issued by the Government of Canada. These are the only form of identification acceptable to exempt a Status Indian from taxes on a vehicle sale or lease. This is what they look like <https://www.aadnc-aandc.gc.ca/eng/1100100032424/1100100032428>

Of course, as soon as you create a card which offers an attractive benefit (like an exemption from paying tax!), there will be those who want to take advantage ... or try to.

Métis and other Aboriginal ID, membership or association cards are not issued by the Government of Canada and DO NOT exempt the holder from paying HST. These cards may carry with them a legitimate purpose, such as certifying membership in an organization which may come with certain benefits. However, an exemption from paying tax on the purchase of a vehicle is not one of these benefits.

CBC has reported more than once about this problem, in some cases humourously. One organization calling itself the "Confederation of Aboriginal Peoples of Canada", or CAPC, supposedly uses DNA testing to qualify applicants who wish to obtain a card:

CAPC uses Indigenous ancestry DNA tests conducted by Toronto lab Viaguard Accu-Metrics to determine its card-holding membership. Earlier this year, CBC News reported the lab returned positive Indigenous ancestry results on two dog DNA samples.

<https://www.cbc.ca/news/indigenous/fake-indian-status-card-probe-report-1.4869139>

<https://www.cbc.ca/player/play/1254428227833>

As we have written many times, if it is not a Certificate of Indian Status card issued by the federal government (and it will use those exact words right on the card), do not accept it for the purpose of exempting any portion of the HST or any other tax on the sale of a motor vehicle.

If you do, you can expect to be asked to pay that unremitted tax on your next Canada Revenue Agency HST audit!

For detailed rules please visit <http://www.ucda.org/DealerInfo/StatusIndianFAQ.aspx> or give our Legal Department a call anytime.



A Bridge Too Far?

A vehicle carrier in Scotland had a too close encounter with a bridge and caused thousands of dollars in damage to the Range Rovers and Jaguars on board in October.

It seems the driver miscalculated the height of his load and sheared the tops off of several of the vehicles on the top deck turning several brand new SUV's and sedans into unfortunate convertibles.

While no one was injured, and the driver no doubt has had better days, the losses will include two vehicles written off and serious repairs needed to several others.

Apparently the bridge was fine.

Say Hello To The New Boss ... Same As The Old Boss?

It seems the new Ontario Government is serious about change.

We reported in 2017 on the Ontario Government's plans to increase the minimum wage to \$15 by 2019. That's no longer the plan.

Among the announced pull-backs on the planned legislative changes are that there will be no increase to the minimum wage until 2020, and it will remain at \$14 per hour until then.

The government says the province plans to link future increases in the minimum wage to the rate of inflation.

The Doug Ford Conservatives also announced that the government will reduce "personal leave days" currently provided to workers, from 10 to 8 days (three days for personal illness, two for bereavement and three for family responsibilities) and remove the two paid sick days previously provided.

Winding Down The Ontario College Of Trades

The government has also announced its intention to wind-down operations at the controversial Ontario College of Trades. A government statement said:

There have been persistent challenges in how the skilled trades in Ontario are regulated, the amount of College fees that apprentices and journeypersons are subject to and the complexity of the rules for apprentices and journeypersons.

As part of the government's commitment to reduce unnecessary regulatory burdens, and to modernize apprenticeship in Ontario, the government is proposing to wind down the Ontario College of Trades.

The government intends to develop a replacement model for the regulation of the skilled trades and apprenticeship system in Ontario by early 2019.

Lien Mistake Leads To Repo

An interesting story out of British Columbia in October reported by the CBC reminds us how important it is to make sure you have the correct VIN when you register a lien.

In this case, the Royal Bank compounded its earlier error by not checking the paperwork carefully and sending a bailiff to repossess the WRONG CAR!

Apparently, Tage Kendall is suing RBC after it seized his Subaru Impreza WRX STI claiming he was a co-signer on a defaulted loan. He says he's never done any business with RBC and has never co-signed a loan.

The vehicle was repossessed in early July and by mid-July it was returned to him with no explanation.

He's suing RBC for lost wages, flight and travel costs (from his job in the Yukon to Surrey, B.C., to deal with the resulting mess), a missing car cover and other damages to the tune of just over \$35,000.

Kendall claims he told the bailiff this was all an error before they even repossessed the vehicle when they were communicating via Facebook. He says he contacted the bank to try to straighten things out, but the bank refused to show him any of the paperwork, no doubt citing privacy, as is often the case with the banks.

In a statement, RBC said it regrets any "frustrations and inconvenience" Kendall experienced, explaining that "due to an error, a lien was registered to the incorrect vehicle" and it is "working with Mr. Kendall to fully resolve this issue."

UCDA Charitable Donations

The UCDA's charitable support for the fight against childhood cancer continues with three more donations made in September to mark Childhood Cancer Awareness Month.

These three wonderful organizations received donations on behalf of the Members of the UCDA:

Kids Kicking Cancer (Windsor)

The Hospice of Windsor and Essex County has partnered with Kids Kicking Cancer, founded in 1999. Kids Kicking Cancer's program provides therapeutic martial arts classes and therapeutic visits in the hospital for children and youth, aged 3 to 18, in pain (physical, emotional and/or intellectual).

This evidence-based innovative program merges modern integrative medicine with traditional martial arts and addresses the needs of children suffering from overwhelming pain, including stress and anxiety.

Specially trained black belt martial artists teach breathing, visualization, and relaxation techniques, in addition to traditional martial arts moves, to help empower the children and provide them with a sense of Power, Peace and Purpose.

An academic study followed 64 pediatric patients in 223 individual martial arts therapy sessions. Over 85% of the children who reported pain recorded a lowering of their pain with an average decrease of 40%. The application of martial arts in health maintenance has been well documented.



Jill Osborne, Executive Director of Kids Kicking Cancer Canada, receives a donation from UCDA President Steve Peck, Legal Services Director Jim Hamilton (left) and Executive Director, Warren Barnard.

Camp Oochigeas (Muskoka)

Affectionately known as Camp "Ooch" to the many families and friends of the camp, for 35 years, Camp Oochigeas has been bringing confidence, resiliency, independence, and playfulness to children with cancer and their families.

Camp Ooch began as an overnight camp for kids ages 6 to 18 with or affected by cancer. Ooch provides year-round camp based programming to over 1,500 kids at their camp in Muskoka, Ontario. Ooch aims to serve kids during and beyond their cancer journey. It serves kids affected by childhood cancer throughout Ontario and participates in annual camper exchanges with a camp in Alberta.

Our donation will enable a child to attend camp for two weeks.

Childcan (London)

Since 1974, Childcan has been providing responsive and compassionate support services to families and children dealing with a diagnosis of childhood cancer received from Children's Hospital at London Health Sciences Centre (LHSC). Childcan serves families from LHSC's entire catchment area which encompasses London/Middlesex, Windsor/Essex, Waterloo Region, Oxford, Sarnia/Lambton, Grey/Bruce, Elgin, Perth, Kent and Huron counties.

The financial assistance provided includes the provision of hospital parking passes and meal vouchers, assistance with uncovered treatment-related medical costs and expenses made untenable due to these costs and the reduction in work many families must undertake to be with their child, bursaries for post-secondary education for Childcan children and assistance with funeral costs.

Emotional support includes provision of a "newly diagnosed" package of information, in-hospital visits and over-the-phone support, as well as informal monthly support groups.

Social support includes annual holiday parties for children and their families, tutoring to help children make up for schooling missed because of treatment and special meals for those in hospital during the Holidays. Family outings that let kids be kids and a family have time together, away from cancer are also organized.

Childcan has helped well over 1,000 families facing the journey through childhood cancer, from diagnosis, through treatment, to recovery or bereavement. Approximately 85 children are diagnosed annually at Children's Hospital, LHSC, and all are immediately referred to Childcan. As the average duration of treatment is three years, they are serving approximately 250 families at any given time.