

# Alberta Transportation Safety Board

## ACCOUNTABILITY STATEMENT

This business plan was prepared under my direction, taking into account the Alberta Transportation Safety Board's (the "Board's") mandate, and in accordance with the Board's responsibilities under the *Fiscal Management Act*.

[Original signed by]

Doreen Poon Phillips, Chair  
March 22, 2017

## MINISTRY OVERVIEW

The Alberta Transportation Safety Board is established under *Part 2* of the *Traffic Safety Act* and conducts driver review and appeal hearings. The Board hears appeals under the *Traffic Safety Act* and the *Railway (Alberta) Act*. Many appeals are from decisions made by, or on behalf of, the Registrar of Motor Vehicle Services (Transportation); or the Railway Administrator or Director of the Dangerous Goods and Rail Safety for Alberta Transportation.

A key part of the Board's mission is to conduct appeals of driver, vehicle and commercial carrier decisions in a fair and timely manner, in accordance with the principles of natural justice.

A more detailed description of Alberta Transportation Safety Board and its programs and services can be found at [www.atsb.alberta.ca](http://www.atsb.alberta.ca).

## STRATEGIC CONTEXT

Albertans want to know that drivers and operators practice high standards of safety and that the province's roads and short-line railways are among the safest in Canada. Eliminating high risk vehicle operation and improving driver behaviour saves lives. By controlling the driver licence privilege of high-risk drivers, the Board is increasing the safety of everyone that uses the province's transportation system.

The single most important priority of the Board remains the same: increasing the safety of the province's roadways and transportation system for all road users by providing appeal and review mechanisms which are both timely and efficient.

## OUTCOMES, KEY STRATEGIES AND PERFORMANCE MEASURES

### Outcome One: A Timely Administrative Appeal Process

Many factors that impact the time it takes to provide a written decision once an application for appeal has been filed are not under the control of the Board. For example, in appeals where the Board must consider documents from a law enforcement agency or from the Registrar, it is up to that agency to respond in a timely manner. Similarly, the Board does not proceed to schedule an appeal unless the affected parties have proper notice of the grounds of appeal. This can take time depending on the complexity of the issues, the number of parties and the promptness of their submissions.

Given the context, the Board has selected one measure over which it does have control to provide feedback on the timeliness of its administrative procedures for hearings pertaining to Alberta Administrative Licence Suspensions (AALS) or Alberta Zero Alcohol Tolerance program suspensions (AZAT).

Performance Measures	Last Actual 2015-16	Target 2017-18	Target 2018-19	Target 2019-20
1.a Timeliness of the administrative appeal process for hearings:				
<ul style="list-style-type: none"> <li>Average number of calendar days between hearing an AALS or AZAT appeal and providing the appellant with a written decision</li> </ul>	26.50	24.00	24.00	24.00

#### Linking Performance Measures to Outcomes:

1.a This measure ensures the timeliness of the administrative procedures for hearings associated with the Alberta Administrative Licence Suspensions (AALS) or Alberta Zero Alcohol Tolerance (AZAT) programs.

#### Outcome Two: A Fair and Effective Appeal Mechanism

It is also important that the Board hears appeals in accordance with the principles of natural justice. These principles concern procedural fairness and ensure a fair decision is reached by an informed and objective decision maker. Maintaining procedural fairness protects the rights of individuals and enhances public confidence in the process.

#### Key Strategies:

- 2.1 Continue to make recommendations to the Minister of Transportation with respect to the *Traffic Safety Act* and the *Railway (Alberta) Act* to improve accessibility, transparency and fairness of hearings before the Board.
- 2.2 Ensure that procedural fairness is maintained going forward by undertaking a review of the Board Rules of Operation.
- 2.3 Continue to review recent decisions from the Courts for direction and comments on procedural fairness.
- 2.4 Provide thorough training to its new and existing Board members so that they are well positioned to make fair decisions grounded in common sense, knowledge of the statutes under which the Board operates and knowledge of the Board's duty of fairness to all parties.
- 2.5 Regarding accessibility, the Board will continue to operate offices and hold hearings in both Edmonton and Calgary and continue to hold hearings as required in Grande Prairie, Red Deer, Medicine Hat and Lethbridge.

Performance Measures	Last Actual 2015-16	Target 2017-18	Target 2018-19	Target 2019-20
2.a Fairness in accordance with principles of natural justice:				
<ul style="list-style-type: none"> <li>The number of Board decisions that are appealed to the Courts</li> </ul>	0	0	0	0
<ul style="list-style-type: none"> <li>The number of decisions that are confirmed by the Courts</li> </ul>	0	0	0	0

#### Linking Performance Measures to Outcomes:

2.a This measure ensures that the Board is meeting its duty of fairness in accordance with the principles of natural justice. The Alberta Transportation Safety Board endeavours to provide sound decisions; however, based on past data, some decisions are appealed to the Courts, including constitutional challenges of legislation.

## **RISKS TO ACHIEVING OUTCOMES**

The Board faces challenges and risks to delivering the outcomes identified in the business plan. The Board will work with partners and stakeholders to address challenges that exist. The following strategic risks have the potential to impact the Board's ability to achieve its outcomes.

- Technology and society are evolving together at a rapid pace, creating diverse needs and uncertainty about future requirements. The Board must be ready to adapt and may require new ways of doing business, updates to existing legislation, regulations and technology, and renewed training.
- The transition of staff to retirement could lead to the loss of institutional knowledge. Lack of specialized skills, knowledge transfer and capacity could impact the efficiency and effectiveness of the Board. Succession planning, cross training and other human resource initiatives will enable the Board to manage the transition.
- Legislation, policies, services, programs and public awareness campaigns may need to evolve to continue to ensure the safety and security of the transportation system and the people who use it.

## ALBERTA TRANSPORTATION SAFETY BOARD

### OPERATIONAL STATEMENT

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(thousands of dollars)

	Comparable 2016-17 Forecast	<b>2017-18 Estimate</b>	2018-19 Target	2019-20 Target
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OPERATIONAL REVENUE				
Transfer from Department	2360	<b>2340</b>	2387	2387
OPERATIONAL EXPENSE				
Administration	1606	<b>1586</b>	1620	1605
Community Board Members	754	<b>754</b>	767	782
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Total	2360	<b>2340</b>	2387	2387
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Net Operational Result	-	-	-	-

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