

November 22, 2019

Mr. Gerald Gillespie
Program Management Branch
Ministry of the Environment, Conservation and Parks
40 St. Clair Avenue West
Toronto, Ontario
M4V 1M2

Dear Mr. Gillespie;

RE: Environmental Registry of Ontario (ERO) number 019-0416 New regulation for vehicle emissions

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

1. Proposal to Revoke Regulation O.Reg 361/98: Motor Vehicles under the *Environmental Protection Act*.
2. Proposal to Make a new Regulation for Vehicle Emissions under the *Environmental Protection Act*.

Section 11 of the proposed new regulation speaks simply to a Heavy-Duty Diesel Vehicle Emissions Test Facility and to a Mobile Heavy-Duty Diesel Vehicle Emissions Test Facility. While OFA understands that a regulation cannot mandate the specific locations for test facilities, or the distribution of these facilities across the province, we do reiterate our comments on ERO 013-3867 (Redesigning Ontario's Drive Clean Motor Vehicle Emission Testing Program), namely that "farmers have repeatedly noted that there has been a decline in the number of Heavy Duty Drive Clean test centers since the program's inception, forcing owners of heavy-duty vehicles requiring a Drive Clean test to travel further and further from home to obtain the necessary test. This negative impact of this decline has been borne primarily by vehicle owners who live and operate their businesses at some distance from larger urban centres. As part of this program redesign, how will the provincial government address the decline in heavy-duty test facilities, particularly across Ontario's rural and agricultural municipalities?". It is important that the Ministry of the Environment, Conservation and Parks ensure that Ontario's less populated agricultural and rural areas have access to test facilities, either fixed or mobile, within a reasonable driving distance.

- a) Proposed changes for on-road enforcement for all vehicles being driven on Ontario roads;
 - Clarify that on-road emissions standards apply to all motor vehicles on Ontario's highways, including out-of-province vehicles

While this is not likely to have a direct impact on Ontario farmers and their operations, from a position of equal treatment, we nevertheless applaud the provincial government for applying the new vehicle emissions standards to “all motor vehicles on Ontario’s roads, including out-of-province vehicles”.

- Ensure that a vehicle’s originally installed emission control systems are present and operating as intended, by clarifying existing laws that prohibit emission system tampering

OFA recognizes the potentially negative consequences of the impacts of a changing climate on all aspects of life in Ontario. In that light, OFA supports a prohibition against tampering with emissions systems.

- Clarify existing requirements related to emission control defeat devices and introducing a new prohibition for the sale of such devices

OFA supports this proposed provision.

- Tighten the visible emissions prohibition from fifteen (15) seconds to five (5) seconds in a one-minute period

OFA offers no comments on this specific provision as it requires technical expertise we lack.

- Tighten the current opacity standard for 2008 and newer heavy-duty diesel vehicles to 20% from 30%. The new threshold is more appropriate for newer vehicles which were manufactured with emission systems designed to minimize smoke and soot from the diesel engine

OFA offers no comments on this specific provision as it requires technical expertise we lack.

b) Proposed changes to enhance and strengthen the Heavy Diesel Commercial Motor Vehicles Emissions Testing Program (these amendments are proposed to come into effect on January 1, 2020)

- Consistent with the proposed changes to the on-road opacity standards, tighten the current smoke opacity test standard for 2008 and newer heavy diesel commercial motor vehicles to 20% from 30%. The new threshold is more appropriate for new vehicles which were manufactured with emission systems designed to minimize smoke and soot from the diesel engine.

OFA offers no comments on this specific provision as it requires technical expertise we do not have.

- Require an informational computer-based electronic emissions diagnostic test to help identify whether emission control systems are operating as intended for heavy diesel commercial motor vehicles that have a registered gross weight of between 4,500 kg and 6,350 kg (9,920 lbs. – 13,999 lbs.).

The vehicles described here, i.e. heavy-duty diesel commercial motor vehicles having a registered gross weight of between 4,500 kg and 6,350 kg, are the ones operated by most Ontario farmers.

OFA does not object to a computer-based electronic emissions test for these vehicles. Many of our members have commented on the shortage of fixed-location test facilities within a reasonable driving distance of their farm, or a mobile test facility that is willing to drive to their farm. The Ministry of the Environment, Conservation and Parks needs to ensure that Ontario's less populated agricultural and rural areas have reasonable access to emissions test facilities.

- Align definitions so that heavy diesel commercial motor vehicles that are required to have an emissions report for permit renewal are also eligible to have emissions tests performed. This will provide clarity for vehicles such as fire trucks and ambulances.

OFA does not object to this proposed definition of a heavy-duty diesel commercial motor vehicle.

- The requirement to pass a mandatory computer-based electronic emissions diagnostic test to ensure emission control systems are operating as intended for heavy diesel commercial motor vehicles that have a registered gross weight of between 4,500 kg and 6,350 kg.

OFA offers no comments on this proposal.

3. Proposal to Amend Regulation 628: Vehicle Permits under the *Highway Traffic Act*.

- Elimination of the existing 20% visible smoke opacity threshold that allowed vehicles to skip a test cycle.
- Elimination of the exemption for diesel hybrid vehicles.

OFA offers no comments on either of above noted proposals.

On behalf of OFA's more than 38,000 farm family businesses across Ontario, we trust that our perspective on new regulations for vehicle emissions will be reflected in their final versions.

Sincerely,



Keith Currie
President

KC/pj

cc: The Honourable Jeff Yurek; Minister of the Environment, Conservation and Parks
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors