April 4, 2019

Re: Request for access to information under Part 2 of The Freedom of Information and Protection of Privacy Act: Application Number 19 03 191

On March 5, 2019, the City of Winnipeg received the following requests from you:

Please provide information on the City of Winnipeg's policy for when city vehicles - including police, ambulance, fire and other city vehicles - are ticketed.

Access to the records you have requested is granted in part, with severing as explained below. Our search included four departments: Winnipeg Fleet Management Agency, Winnipeg Transit, Winnipeg Fire Paramedic Service, and Winnipeg Police Service.

- Winnipeg Fleet Management Agency located no responsive records.
- Transit located the section of the bus operator manual specific to collisions. Access to document is granted in full and a copy is enclosed.
- WFPS located the section of their guidelines specific to collisions of service vehicles. Access to document is granted in full and a copy is enclosed.
- WPS located their policy/procedural document titled "Traffic Collisions" which includes information related to service vehicle collisions throughout. The portions of the document that do not pertain to service vehicle collisions are severed because they are non-responsive to your request. Also, internal file locations were severed to maintain the security of City's electronic records infrastructure. Access to this record is granted in part with severing and a copy is enclosed.

Disclosure harmful to security of property

26 The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm or threaten the security of any property or system, including a building, a vehicle, an electronic information system or a communications system.

Section 59(1) of the Act provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to the Manitoba Ombudsman (Mail: 750-500 Portage Avenue, Winnipeg MB R3C 3X1; Telephone 204-982-9130 or 1-800-665-0531).

Sincerely,

[Signature]

Denise Jones
Access and Privacy Coordinator
16. ACCIDENTS AND INCIDENTS

All accidents/incidents involving a transit vehicle must be followed up with an accident/incident report in dark ink printed in a legible manner. Reports must be signed in at one of the following locations within 24 hours of the occurrence or the next business day or earlier upon request.

- Administration Office - FRG Transit Accident Office
- Dispatch Offices - Fort Rouge Garage, North Garage, Brandon Garage
- Downtown Concourse - Downtown Service Centre
- All accidents involving serious injuries, a fatality, unlicensed drivers or vehicles, hit and run, failure to exchange particulars and any suspected use of drugs or alcohol require a Police report which must be submitted through the accident office at Fort Rouge Garage.

**General Procedures**

The following procedures must be followed when involved in a collision, directly or as a witness, or when an incident occurs including a passenger fall, pedestrian fall near the bus platform area, when a passenger is caught in the doors, or any other incident causing property damage or personal injury.

- Notify Transit Control IMMEDIATELY, before leaving the scene.
- In the event of injury or serious circumstances, request Inspector, police and ambulance assistance.
- Assist the injured.
- Hand out courtesy cards asking any witnesses to describe in writing what they saw.

In addition to the above, the following policies apply:

**Collision with another vehicle:**

- Obtain the names and addresses of others involved. Include licence numbers, insurance company and policy numbers, name and address of owner and driver.
- Provide the other party with your name, address, Driver's Licence, badge number, bus number and bus license plate.
- In the event of a hit and run, attempt to obtain the other vehicle's license plate, make, model, colour and year.

**Collision with an unattended vehicle or private property:**

- Leave in a conspicuous place, a notice in writing giving the following information:
- The City of Winnipeg as owner of the vehicle.
- The vehicle licence number.
- Your name and badge number.
- Your driver’s licence number

Pedestrian accidents:

- Do not move the injured party.
- Do not move the bus unless instructed by Supervisory staff or Police.

When a witness to an accident:

- Provide your name and badge number to the involved party

Do not contact any witnesses or interested parties following an occurrence. If you are contacted by outside parties, do not provide any information but direct the parties to the City of Winnipeg Claims Branch. When contacted by phone, letter, subpoena or in person, contact your Operations Supervisor. Do not accept responsibility when speaking with other involved party or witnesses.

**Completing the Operators’ Report**

All Operators’ reports must be filled out in dark ink, printed in a legible manner and submitted within 24 hours of the accident/incident.

Unacceptable accident reports will require the employee to come into the Fort Rouge Garage to re-submit the report. No extra occurrence report pay will be paid under these circumstances.

**Post-Accident/Incident Interviews**

On a call-in basis an Operations Supervisor may interview employees involved in accidents or incidents.

**Cooperation with Police Officers**

If you are involved in an accident or incident requiring the attendance of a Police Officer, you are expected to give all reasonable assistance to the Police Officer and when requested, answer all questions that are pertinent to the accident/incident.

**Details and Statements of Accidents**

Details and statements of accidents and incidents are not to be given to any persons other than Emergency Responders or Winnipeg Transit Supervisors.
Collision (Code 4)

If involved in a collision while responding to an incident, where there are no injuries and the vehicle is operational the Company Officer or Paramedic will:

- Exchange the necessary basic information with the driver of the other vehicle involved,
- Proceed to alarm or,
- Contact the Communications Centre to advise of the collision, and request an alternate vehicle dispatch

If there are injuries or suspected injuries the Company Officer or Paramedic will:

- Contact the Communications Centre immediately to request an alternate vehicle be dispatched to the original alarm,
- Assist anyone in need of assistance,
- Request other resources as needed, eg. WPS, Paramedic, First Responder or extrication unit

The driver must always complete a Collision Report as soon as possible after any collision.

Department personnel should not comment about a collision, but should direct the other involved driver to contact their insurer regarding the claim procedure.
non-responsive
11. Drivers Licence Surcharge And Liability Information

A. General Information

1) If damage/injury occurs as the result of a traffic collision involving a Service vehicle, or a personal vehicle authorized for police duties, and Manitoba Public Insurance (MPI) has determined the Member operating that vehicle is 50% or more responsible, MPI will forward a letter to the Member advising additional fees will be assessed on the Member's Driver's Licence.

2) Members may submit any surcharges to the Revenue Accountant, Finance Division for reimbursement.

B. Liability Appeals

1) Emergency Response

a) Police members involved in a traffic collision while responding to an emergency situation may request the file be reviewed by the Manitoba Public Insurance - Emergency Vehicle Liability Committee, if they are not satisfied with the determination of liability by MPI.

b) The Emergency Vehicle Liability Committee is convened by MPI for a fee. A member may request a further review of the file and is responsible to pay the fee assessed. Contact is made through the City of Winnipeg Adjuster at MPI.

c) If not satisfied by the Emergency Vehicle Liability Committee's decision, a member may file a claim through Small Claims Court; however the member is responsible for all court costs, including the cost of any counsel retained to act on behalf of the member.

2) Non-Emergent Response

a) WPS members involved in a traffic collision may request the file be reviewed by the Manitoba Public Insurance - Emergency Vehicle Liability Committee, if they are not satisfied with the determination of liability by MPI, for a fee.

b) If not satisfied by the Emergency Vehicle Liability Committee's decision, a member may file a claim through Small Claims Court; however the member is responsible for all court costs, including the cost of any counsel retained to act on behalf of the member.

C. Surcharge Appeals

1) A member may contest a surcharge ruling made by MPI.

2) The appeal is filed through the Rates Appeal Board, which is an independent board, appointed by the Provincial Government.

3) There is no further appeal process beyond the Rates Appeal Board.
GENERAL PROCEDURES

1. Member shall:

   A. Collisions Involving Service Vehicles

      1) If involved in a collision operating a Service Vehicle, contact the Communications Centre via radio or telephone to notify of the collision and request a Street Supervisor to attend.

      2) Submit a completed Collision Review Board Report (P-335) to the Street Supervisor who attends the scene, prior to retiring from duty.

      3) If required by the Highway Traffic Act, complete the Vehicle Collision Reports (MG-9956 & MG-13973) complete with a Driver Statement separate and apart from the Collision Review Board Report Narrative.

         a) Submit a copy of the P-335 to their Supervisor.
H. Collisions Involving Service Vehicles

1) If involved in a collision operating a Service vehicle, submit a completed Collision Review Board Report (P-335)\textsuperscript{26} to the Street Supervisor who attends the scene, prior to retiring from duty.

2) If required by the Highway Traffic Act, complete the Vehicle Collision Reports (MG-9956 & MG-13973) complete with a Driver Statement separate and apart from the Collision Review Board Report Narrative.
   a) Submit a copy of the P-335 to their Supervisor.
3. Street Supervisor shall:

B. Collisions Involving Service Vehicles

1) Attend the scene of the collision.

2) Ensure medical assistance is requested, if required.

3) Complete the Vehicle Collision Reports Motor Vehicle Collision Face Report (MG-9956)

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   & Motor Vehicle Collision Report (MG-13973) 26

   for the secondary driver and provide the following:

   a) Occurrence Number.

   b) Involved member's name, workplace address and other required information.

   c) Provide appropriate advice for further reporting, dependent on the amount of damage.

4) Complete the Supervisor's Narrative on the Collision Review Board Report (P-335).

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5) Update narrative information on RMS.

6) Forward completed and signed P-335 to the involved member's Shift Supervisor before retiring from duty.
7) If the Service vehicle is being towed, remove all Service issued firearms and ammunition, exhibits and property, and any police related documents (i.e. POAs and Warrants) from the vehicle.

4. **Shift Supervisor shall:**

   **A. Collisions Involving Service Vehicles**

   1) Ensure medical assistance is requested, if required.

      a) Follow the duties detailed in the [Injured or Exposed While on Duty] topic.

   2) **Review Collision Review Board Report (P-335)**

      and the Vehicle Collision Reports (MG-9956 & MG-13973) and sign where required.

   3) Fax P-335 to the WPS Vehicle Services prior to retiring from duty.

   4) Forward original P-335 to the Commander of the involved member.

   5) Ensure all Service issued firearms and ammunition, exhibits and property, and any police related documents (i.e. PONs and Warrants) are removed from the vehicle prior to being towed. See also: [Service Use of Firearms]

6. **Commander shall:**

   **A. Collisions Involving Service Vehicles**

   1) Review the **Collision Review Board Report (P-335)**

      and the Vehicle Collision Reports (MG-9956 & MG-13973).

   2) Ensure the P-335 is complete and sign.

   3) Forward the original P-335, along with a copy of all related reports/statements to the Sergeant - Administration, Division 52 Traffic.
C. Collisions Involving Service Vehicles

1) If involved in a collision operating a Service vehicle, submit a completed Collision Review Board Report (P-335) to the Street Supervisor who attends the scene prior to retiring from duty.

   a) If required by the Highway Traffic Act, complete the Motor Vehicle Collision Reports

      [Motor Vehicle Collision Face Report (MG-9956)]

      & Motor Vehicle Collision Report (MG-13973)

2) Submit a copy of the P-335 to their Supervisor.

D. Driver’s Licence Surcharge And Liability Information

1) Upon receipt of the MPI form letter:

   a) Immediately forward a copy of the letter to the Revenue Accountant, Finance Unit.
b) Pay any assessed fees by the due date.

c) Forward the original receipt for payment to the Revenue Accountant, Finance Unit and provide any further information requested or received in a timely fashion.

2. Supervisor shall:
   A. Collisions Involving Service Vehicles
      1) Review Collision Review Board Report (P-335), sign and fax P-335 to the WPS Vehicle Services prior to retiring from duty.
      2) Review completed Motor Vehicle Collision Report (MG-9956 & MG-13973)
      3) Forward the original P-335 to the involved member’s Commander.

COLLISION REVIEW BOARD
1. Collision Review Board shall:
   A. Collisions Involving Service Vehicles
      1) Convene monthly, at the discretion of the Chairman, and review all Vehicle Collision Reports involving Service vehicles.
      2) Classify each report as either:
         a) No Fault.
         b) No Fault - Calculated Risk.
         c) Error in Judgement.
      3) For reports classified as No Fault or No Fault - Calculated Risk file the report and take no further action.
      4) For those reports classified as Error in Judgement:
         a) If a charge is to be considered, direct the Staff Sergeant – Division 52 Traffic, to forward a report package to the attention of the Director, Criminal Prosecutions for an opinion.
         b) If it is believed a breach of Service Regulations has been committed, forward a recommendation on disciplinary action to the Commander, Professional Standards Unit.
      5) Notify both the driver and the Division Commander of the Board’s classification or actions.
      6)
Review a decision at the request of the driver if accompanied by the submission of new, pertinent information regarding the collision.

COMMUNICATION CENTRE UNIT [CALEA 81.2.3 & 81.2.6]

non-responsive
2. Dispatcher: [CALEA 83.2.4] (non-responsive)

D. Collisions Involving Service Vehicles
   1) Dispatch a Street Supervisor, District of Occurrence.
   2) If a Specialty Unit is involved, dispatch the Street Supervisor on duty, for that Unit if possible.

DIVISION 35 FINANCE

1. Revenue Accountant shall:
   A. Drivers Licence Surcharge And Liability Information
      1) Upon receipt of Manitoba Public Insurance (MPI) form letter contact MPI for the total claim cost.
      2) Determine least cost option by assessing whether to:
         a) Buy back the claim or previous claim(s) by reimbursing MPI the claim expenses (where no additional fees are assessed); or
         b) Reimburse the member via payroll adjustment for all additional fees assessed.
      3) Advise member of option selected.
      4) Maintain a database on claims processed.
non-responsive
VEHICLE SERVICES UNIT

B. Collisions Involving Service Vehicles
1) Obtain a written estimate of required repairs.

2) Forward a copy of the amount of the vehicle repairs to the Supervisor, Vehicle Collision Investigation Section.

3) If the damage is $1,000 or less have the vehicle repaired
   a) Prior approval of Manitoba Public Insurance (MPI) is not required.

4) If the damage is over $1,000 open a claim with MPI using details from the Collision Review Board Report (P-335).