

REPORTING UNDER SECTION 157 OF *THE HIGHWAY TRAFFIC ACT*

EXECUTIVE SUMMARY

Section 157 of Manitoba's *Highway Traffic Act* requires duly qualified medical practitioners and optometrists to report a person's details to the registrar of motor vehicles when the person holds a valid driver's licence and has a disease or disability that may be expected to interfere with the safe operation of a motor vehicle. While this mandatory reporting provision serves the important purpose of identifying individuals who may be unfit to drive for health-related reasons, some problems have been identified with respect to compliance with the provision.

In this report, the Manitoba Law Reform Commission considers ways to improve the effectiveness of the reporting system contemplated by section 157 of *The Highway Traffic Act*, with a focus on possible changes to the legislative language rather than the broader administrative and regulatory environment in which the provision operates. The report concludes by recommending changes to the language of section 157 that would improve the clarity and effectiveness of the legislation. The report also identifies confidentiality and privacy issues that are engaged in the reporting system, and makes recommendations that take into account accepted legal principles of confidentiality and privacy.