

Transport Canada – Recall Changes

The Canadian Vehicle Exporter's Association (CVEA) would like to commend Transport Canada and the Department of Transport on the proposed changes related to the Recall of vehicles in Canada within the Motor Vehicle Safety Act. These changes will surely have a beneficial effect on the safety of all Canadian drivers.

<https://www.gazette.gc.ca/rp-pr/p1/2023/2023-06-17/html/reg3-eng.html>

We would also like to thank the Transport Canada Recalls Division for taking the time to hear from the CVEA regarding our experiences in other international markets as it relates to the administration of vehicle recall systems. Canada is certainly lagging many other nations who enforce a far greater level of manufacturer cooperation enshrined through a variety of regulatory frameworks. For example, European Union regulations surrounding recalls are handled under Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32001L0095>). Under this system, vehicle manufacturers are required to provide the entire Global VIN list of every vehicle affected by each recall to the government, irrespective of the country where the vehicle was originally sold. This system ensures that in our world of international trade the safety of consumers is treated as paramount.

Readily accessible VIN specific recall lookups will ensure that all Canadian citizens will be able to take their safety into their own hands. Legislation compelling designated companies to provide a searchable database on their websites is certainly a good first step in this endeavour.

The CVEA believes there is still further opportunity to leverage advances in technology and consumer habits. As the complexity of new vehicles has increased over time, there has been a similar rise of consumer awareness to issues surrounding vehicle safety. At the same time, consumer adoption of technology, specifically “apps”, is now part of the daily lives of many Canadians. Government has of course also been recently investing in this technology as it seeks to find ways to streamline and disseminate relevant information to as many citizens as possible.

Considering this, the CVEA recommends the establishment of a government created and administered Transport Canada Recall App. Vehicle manufacturers are in the sole possession of every VIN with a recall. This complete Global VIN data list should explicitly be required to be provided to Transport Canada by each vehicle manufacture and designated company for use in the administration of the app. Canadian consumers would subsequently be able to search the App for any VIN they wish.

There is a strong precedent for this. In the United States, NHTSA (National Highway Traffic Safety Administration), runs the SaferCar app for IOS and Android. (<https://www.nhtsa.gov/campaign/safercar-app>) When a consumer enters a VIN, the app will automatically alert the user if a recall is announced at any point in the future for that specific VIN. This system goes a step beyond the current proposed changes to the MVSA; this takes an automated proactive approach to safety, rather than a more burdensome

manual approach. The NHTSA SaferCar App avoids personal privacy concerns by storing the user's vehicle data only on the user's personal device, rather than collecting any internal information. An automated check is performed once per day against the recall VIN list in possession of NHTSA.

The relatively fast adoption of a Transport Canada administered app could be obtained in part by leveraging the vast network of Canadian vehicle dealers, both franchised and independent. At the point of purchase, vehicle dealers could encourage a consumer to download the Transport Canada App and enter their new VIN for automatic recall monitoring.

Greater direct involvement by Transport Canada would add one more layer in vehicle and consumer safety. A consumer-friendly system or app, developed and administered by Transport Canada, would be intended to work in concert with the current proposed amendments to the Motor Vehicle Safety Act.

Regardless of any changes to further strengthen the proposed amendments over the course of the forthcoming legislative process, the CVEA supports the amendments as they currently stand in the Canada Gazette, Part 1, Volume 157, Number 24.