

**CPSAC's response to Transport Canada's request for consultation on proposed regulation update**

# **Feedback on proposed regulatory changes**



**Transport  
Canada**



# Purpose

This webinar was developed to support partners in injury prevention, healthcare, public health, and community safety in understanding and responding to the proposed updates.



# About CPSAC

The Child Passenger Safety Association of Canada (CPSAC) is a national, not-for-profit organization that certifies Child Passenger Safety Technicians (CPSTs) and instructors in Canada.

- elected board of directors (volunteers)
- supported by committees (volunteers)

**Safety is our middle name.**

CPSAC and our members promote child passenger safety through **education, advocacy, and training.**



# **But first: who does what?**

A quick primer on roles and responsibilities related to child passenger safety (not a comprehensive list)

# Province's role



Provinces and territories write laws requiring the **use** of car seats and booster seats (and seat belts)

- Provincial and territorial laws require that a car seat or booster seat be used properly, according to the instructions.

Manufacturers must meet Transport Canada's requirements

- Car seat and booster seat laws are enforced through police services.

# Transport Canada's role

**Transport Canada** develops and enforces the standards, regulations, and test methods for the manufacturing and importation of car seats and booster seats.

- Requires testing for car seats and booster seats
- Some labelling and instruction requirements

National Safety Mark (NSM) indicates that a car seat or booster seat conforms to the requirements and regulations in place at the time it was made



# CPSAC's response

## Disclaimer:

We have interpreted this complex material to the best of our ability.

We consulted with CPSAC's curriculum committee and colleagues on both sides of the border.

We are communicating our thoughts and feedback to you to the best of our ability.

# Feedback on proposed regulatory changes

**We support Transport Canada's stated intent to improve regulations.**

- Expected to modernize Canadian regulations and align more closely with the United States
- Implications for child safety, accessibility, and real-world use

**Transport Canada and Health Canada are accepting comments until **April 22****



# OVERALL STRENGTHS

## **We are strongly in support of:**

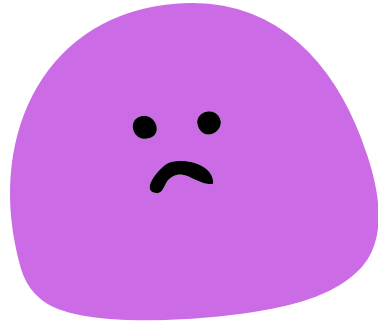
- Increasing the minimum weight to use a forward-facing car seat to 12 kg (26.5 lb).
- Retaining key safety features unique to Canada (e.g., tether use)
- Expanding the definition of disability to align with the federal definition
- Prioritizing access for safe adaptive transportation products for children with disabilities



# SPECIFIC STRENGTHS

## **We are strongly in support of:**

- Recommendation for consistent tether anchorage use regardless of child weight (U.S. Federal Register)
- Adopting side-impact testing to align with U.S. standards
- Requiring UAS weight limits on labels (no more curbside math!)

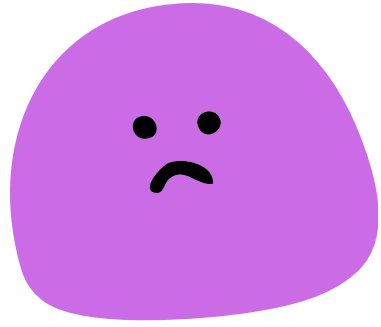


# OVERALL CONCERNS

## **We have concerns about the following:**

- The consultation process felt limited, not inclusive enough, and is missing perspectives of key partners
- There are apparent errors and inconsistencies within the documents, which raises concerns about unintended consequences
- There was no accessible knowledge translation

**Given the scope and impact, this work required earlier and more transparent engagement.**



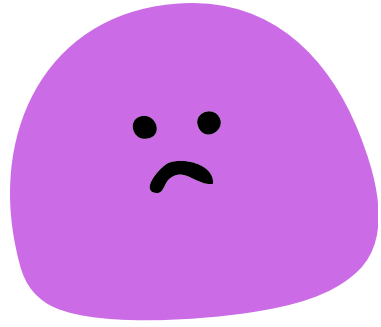
## **SPECIFIC CONCERN:** **Booster seat weight limits**

**Proposed 36 kg (80 lb) booster seat limit creates serious safety concerns.**

This change would:

- Conflict with current U.S. standards and create division in the market
- Would prematurely transition children out of a booster seat
- Would increase unsafe belt fit and preventable injury risk
- Disproportionately affect children with higher body weights
- Leave some children without a legal or practical travel option in certain jurisdictions

**We believe this is an oversight. It must be corrected.**

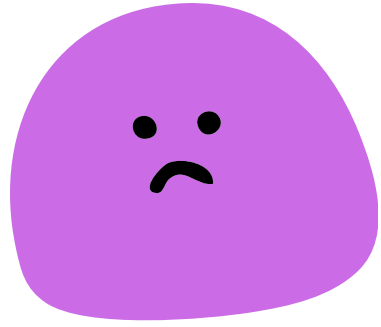


## **SPECIFIC CONCERN:**

### **Disability/special transportation needs**

**Proposed adaptive child restraint changes may REDUCE access**

Updates to regulations for adaptive restraints for infants, children, and youth with disabilities and special transportation needs will not achieve the stated goals of improved access.



## **SPECIFIC CONCERN:**

### **Disability/special transportation needs**

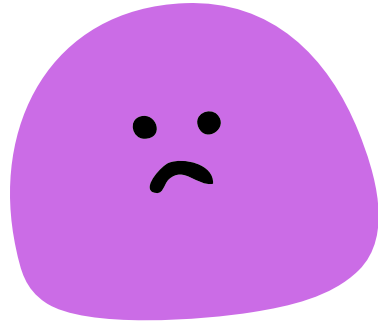
**Transport Canada proposes changes for adaptive restraints for infants, children, and youth with disabilities.**

#### **Positive intent:**

- Broader definition of disability
- Recognition that access is currently limited and inequitable
- Desire to improve availability in Canada

#### **However, as written, the proposal may:**

- Further reduce access, available options will decrease
- Costs will increase, further reducing access
- Safety of available products will become uncertain with removal of crash testing requirements



## **SPECIFIC CONCERN:**

### **Disability/special transportation needs**

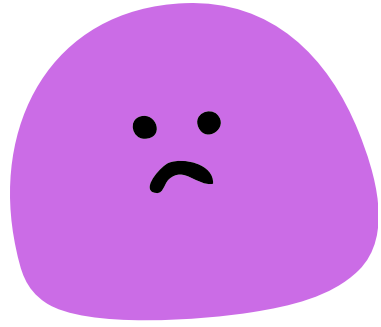
**Transportation needs are urgent. Families need access now.**

Children may require an adaptive restraint:

- For a permanent or temporary disability or diagnosis
- Following surgery, injury, or functional decline

Delays can cause:

- Missed medical appointments, delayed discharge from hospital, greater family hardship, reliance on ambulance/professional transport, unsafe transportation arrangements



## **SPECIFIC CONCERN:**

### **Disability/special transportation needs**

#### **Biggest concerns with the proposed updates:**

New Canadian-specific requirements may increase cost

- Adaptive restraints already cost \$2,000+
- Canadian certification can dramatically raise price

Some products may disappear from the market

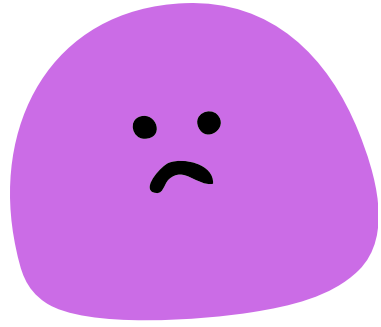
- Very small market: ~6 manufacturers, fewer than 20 products

New belt-positioning harness category is unclear

- Different products with very different uses appear grouped together.

Safety testing concerns

- New proposed categories would not require crash testing.

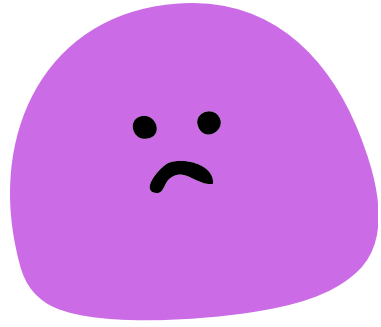


## **SPECIFIC CONCERN:**

### **Disability/special transportation needs**

**We recommend Transport Canada revise the proposal to focus on access and safety.**

- Clearer product categories
- Maintain meaningful crash testing standards
- Avoid unnecessary Canadian-only barriers
- Create pathway for U.S./international medically necessary products
- Support provincial funding and hospital loaner programs
- Provide practical guidance for families and clinicians

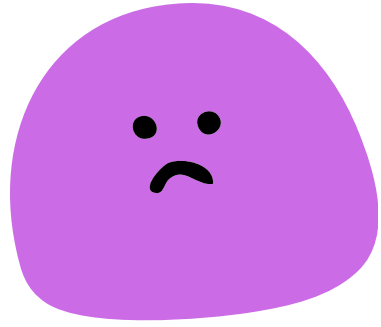


# **SPECIFIC CONCERN:** **Request for reduced timelines**

## **We do not support:**

Requested exemption from the usual pre-publication in the Canada Gazette Part I.

- Stakeholders require time to understand implications, consult partners, and provide meaningful input.
- A more **accessible** consultation pathway would improve transparency, trust, and participation.



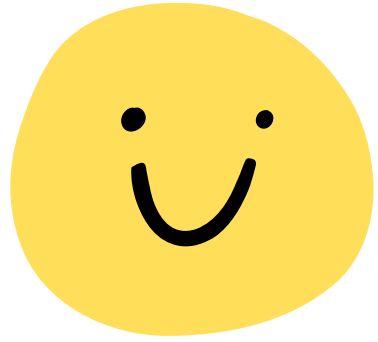
# **SPECIFIC CONCERN:** **Health Canada-specific feedback**

## **Health Canada - Canada Consumer Product Safety Act**

**Implication of updating CMVSS:** affects the sale of new car seats and booster seats, and the sale/gift/loan of used seats after the implementation date.

**Recommendation:** allow the sale/gift/loan of all products through their expiry period, especially adaptive seats.

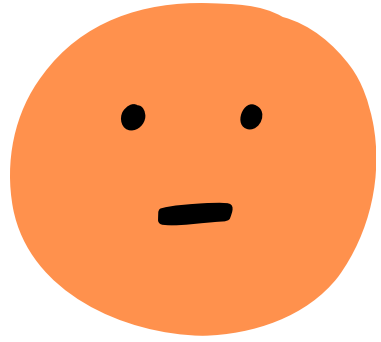
- affects community orgs with car seats to give to families in need
- would most affect hospital loaner programs (prevent loan)
  - critical consideration due to their high cost (upwards of \$6,000 in some cases), limited supply, and essential clinical role.



# ADDITIONAL RECOMMENDATIONS

## **We have also recommended:**

- Regulate expiry dates and include it on labeling
- Require tether routing instructions in vehicle manuals
- Rescind Consumer Advisory Notice from 2016 advising use of lower anchors and seat belt together if UAS weight limit is not known
- Indicate on labelling which version of CMVSS the seat was certified to (relates to Health Canada question and the Canada Consumer Product Safety Act)



# WE HAVE QUESTIONS ABOUT

**We are unable to form an informed position due to limited evidence provided:**

- Removing anti-rebound standard, and potential impact on these features in the market, and consumer perception of safety
- Removing slow-recovery energy absorbing foam requirement in head contactable surfaces

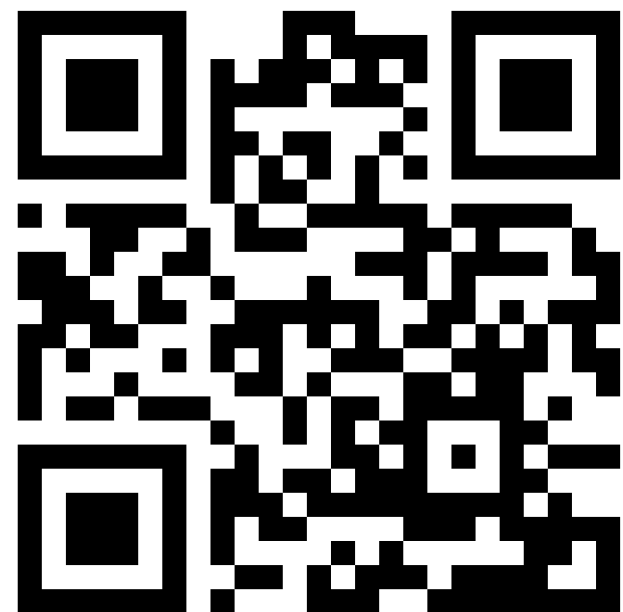
# CPSAC's response

- CPSAC has prepared a detailed draft response for Transport Canada and Health Canada
  - This will be available to on our website following the webinar
- CPSAC has prepared a partner information package for background and accessibility in partnership with Parachute Canada.
  - Many of you will have already received this; it is also on our website

# CPSAC's response

[CPSAC.org/advocacy](https://cpsac.org/advocacy)

- federal (this presentation - Transport Canada & Health Canada)
- provincial/territorial (law updates)



# Feedback due

## April 22

- Templates are available in the partner package on our website to copy and paste
- **TWO emails:**
  - Transport Canada on questions 1, 2, and 3
  - Health Canada on question 4
  - Add your own context and additional concerns and details

# QUESTIONS?



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