



May 21, 2014

Mr. Colin Craig
Canadian Taxpayers Federation
1881 Portage Avenue
P.O. Box 42123
Winnipeg, MB R3J 3X7

PRIORITY POST

Dear Mr. Craig:

Re: Application for Access Nos. 14-042 to 14-047

These six Applications for Access under *The Freedom of Information and Protection of Privacy Act* ("the Act") were received on April 24, 2014.

Application for Access No. 14-042 reads:

"Please provide all documentation within the Administrative Services department related to photo radar/red light camera tickets incurred by executive members of MPI."

Response: Access to these records is denied pursuant to Section 12(1)(c)(i) of the Act on the basis that the records do not exist.

When a photo radar or red light camera infraction notice is received with respect to a particular vehicle registered to Manitoba Public Insurance, records are searched to determine which employee had care and control of the vehicle on the date, and at the time, of the infraction.

If the vehicle is part of the Administrative Services pool, or it has been assigned to a specific individual, Administrative Services will readily be able to determine, from its own records, which MPI employee was responsible for the vehicle at the relevant time. The original infraction notice is then sent to the employee along with a standard cover letter (Appendix A to this response). A photocopy of the cover letter only is also sent to his or her manager. Administrative Services retains copies of the cover letter and the infraction notice until it receives a copy of the receipt for payment of the fine from the identified employee. Once the receipt has been matched up with the infraction notice, all of the records – the copy of the infraction notice, the copy of the cover letter to the employee, and the copy of the receipt – are destroyed by Administrative Services.

If the vehicle is part of a pool administered by a department or work unit other than Administrative Services, the original infraction notice, along with a separate standard cover letter (Appendix B to this response), is sent to the manager of that department or work unit. The manager is responsible for determining which MPI employee was driving the vehicle at the relevant time, and for providing the infraction notice to that employee along with instructions to deal with it. Administrative Services retains copies of the cover letter and the infraction notice until it receives a copy of the receipt for payment of the fine. Once the receipt has been matched up with the infraction notice, all of the records – the copy of the infraction notice, the copy of the cover letter to the manager, and the copy of the receipt – are destroyed by Administrative Services.

The relevant extract from the MPI Vehicle Use Policy is reproduced in Appendix C to this response.

Application for Access No. 14-043 reads:

“Please provide documentation on the number of speeding tickets/red light camera tickets issued to the following MPI-owned vehicles: ETV 865, FJM 508, FGC 796, FHR 594, FWF 317. Please indicate the year each ticket was incurred, year and date of repayment.”

Response: Access to these records is denied pursuant to Section 12(1)(c)(i) of the *Act* on the basis that the records do not exist.

Red light camera infractions are dealt with in the manner described in the previous response. A roadside speeding ticket would be given directly to the driver so MPI would not ever have a copy of, or necessarily even be aware of, this type of ticket.

Application for Access No. 14-044 reads:

“Please provide all emails to and from MaryAnn Kempe within the last five years related to speeding tickets/red light camera tickets incurred by members of MPI’s executive.”

Response: Access to these records is denied pursuant to Section 12(1)(c)(i) of the *Act* on the basis that the records do not exist. I am advised that Ms. Kempe has not located any emails, to or from her, within the last five years, relating to speeding tickets or red light camera tickets incurred by members of the MPI Executive.

Application for Access No. 14-045 reads:

“Please provide documentation on the number of photo radar tickets, red light camera tickets and other speed enforcement tickets incurred by vehicles driven by MPI’s executive team over the last five years. (I’m referring to the vehicles owned by the crown corporation that the executives drive rather than their own private vehicles.) For each ticket, please note the name of the employee who drives the vehicle, amount of the ticket and provide documentation on when the ticket being [sic] repaid.”

Response: Access to these records is denied pursuant to Section 12(1)(c)(i) of the Act on the basis that the records do not exist.

Photo radar and red light camera infractions are dealt with in the manner described above. Other speed enforcement tickets would be given directly to the driver so MPI would not ever have a copy of, or necessarily even be aware of, this type of ticket.

Application for Access No. 14-046 reads:

“Please provide documentation on the number of photo radar/speeding/red light camera/parking tickets incurred by MPI-owned vehicles over the last three years. Please indicate the number of tickets by year, amount of each ticket and information on when the payment was received.”

Response: Access to these records is denied pursuant to Section 12(1)(c)(i) of the Act on the basis that the records do not exist.

Photo radar and red light camera infractions are dealt with in the manner described above. Other speeding tickets would be given directly to the driver so MPI would not ever have a copy of, or necessarily even be aware of, this type of ticket. Parking tickets would typically be left on the vehicle windshield for the driver to pick up when he or she returned to the vehicle, so again MPI would not ever have a copy of, or necessarily even be aware of, this type of ticket.

Application for Access No. 14-047 reads:

“Please provide [sic] on any fees or buyout expenses related to the vehicle returned to the dealer when VP Heather Reichert became VP.”

Response: The buyout expense paid by MPI was \$9,663.16, plus PST, for a total of \$10,339.58.

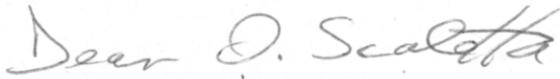
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Questions concerning a refusal to grant access to a particular record or records can be directed to myself at (204) 985-8770, Ext. 3454.

You have a right to make a complaint to the Manitoba Ombudsman regarding this response. The complaint must be filed within 60 days after you receive this response. It must be on the prescribed "Complaint Form" and be delivered to:

Manitoba Ombudsman
750 – 500 Portage Avenue
Winnipeg, MB R3C 3X1

Yours truly,

A handwritten signature in cursive script that reads "Dean I. Scaletta".

Dean I. Scaletta
Director, Information and Litigation

C.C.S.M. c. F175

The Freedom of Information and Protection of Privacy Act

Contents of response

12(1) In a response under section 11, the head of the public body shall inform the applicant

(c) if access to the record or part of the record is refused,

(i) in the case of a record that does not exist..., that the record does not exist...

APPENDIX A



**Manitoba
Public Insurance**

VEHICLE INFRACTIONS WITH A CORPORATION VEHICLE

Dear:

Enclosed is a ticket that was issued to the following Corporation vehicle:

Unit #
Plate #:
Vehicle:
Ticket #: Issued: Received:
Infraction Type:
Cost: \$

At the time of the infraction the captioned vehicle was in your care, custody and control. In accordance with Manitoba Public Insurance's Vehicle Use Policy, you are responsible for payment of this infraction and all costs arising from this incident.

However, you have the right to appeal any infraction in a court of law. If you plan to appeal this infraction, you must request a letter from Jim Davey that allows you to appeal on our behalf.

Please forward a **copy** of the payment receipt or a money order in the amount of \$ payable to Minister of Finance to Mr. Jim Davey, Administrative Services, on or before (enter the due date here).

If you have any questions in regards to this matter please contact the undersigned.

Jim Davey
Fleet Vehicle Administrator
Administrative Services
799-7026

CC: (Staff members Manager)

APPENDIX B



**Manitoba
Public Insurance**

VEHICLE INFRACTIONS WITH A CORPORATION VEHICLE

Dear:
Department:

Enclosed is a Parking ticket that was issued to the following Corporation vehicle:

Unit #:
Plate #:
Vehicle:
Ticket #: Issued: Received:
Infraction Type:
Cost:

At the time of the infraction the captioned vehicle was assigned to your department.

In accordance with Manitoba Public Insurance's Vehicle Use Policy, the driver is responsible for payment of all infractions and costs arising from this incident.

Please forward this ticket to the Employee responsible for the care, custody and control of the vehicle at the time of the infraction and advise the undersigned the name of the offender by e-mail.

However, you have the right to appeal any infraction in a court of law. If you plan to appeal this infraction, you must request a letter from Jim Davey that allows you to appeal on our behalf.

Please forward a **copy** of the payment receipt or a money order in the amount of \$xxxx payable to Winnipeg Parking Authority to Mr. Jim Davey, Administrative Services, on or before xxxx.

If you have any questions in regards to this matter please call the undersigned.

Jim Davey
Fleet Vehicle Administrator
Administrative Services
799-7026
CC:

APPENDIX C

TICKETS

Drivers are responsible for any tickets incurred while using a Corporate vehicle. When Administrative Services receives a ticket in the mail, it will first be determined if the vehicle is one of Administrative Services' pool vehicles or a vehicle assigned to another department. If it is for an Administrative Services' pool vehicle, the booking reservation system and/or the vehicle's Vehicle Use Report will be used to determine the person responsible for the vehicle at the time of the ticket. The ticket will be sent to that person for payment. If the ticket is involving a vehicle assigned to another department, the ticket will be sent to that Department Manager who will determine the person responsible for the vehicle at the time of the ticket and will give the ticket to that person for payment.