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August 10, 2026

Dear Ministers:

RE: Care-First Auto Insurance System

The Alberta Branch of the Canadian Bar Association ("CBA Alberta") is an organization representing nearly 5,800 members of the bar in Alberta. Among its diverse and broad membership, CBA Alberta includes practicing lawyers from two distinct groups: those who primarily work for insurance companies and those who work primarily for Albertans injured in motor vehicle accidents. In the case of auto insurance reform, CBA Alberta endeavours to find solutions and make recommendations which reflect the perspectives of both groups. Further, as advocates for a fair and accessible justice system, CBA Alberta is guided by the best interests of Albertans and the driving public.

CBA Alberta continues to support a fair and affordable insurance system in Alberta that is built around the principles of:

- appropriate care and compensation for accident victims
- regulations geared towards a reduction in automobile accidents
- affordability for the Alberta driving public
- safeguards for procedural fairness

In support of these principles, CBA Alberta also believes there's value in retaining tort rights in appropriate cases, and offers the following suggestions on ways to better support a Care-First model for Albertans.



Submissions on Non-Pecuniary Damages

CBA Alberta has been made aware of the Alberta Civil Trial Lawyers Association's ("ACTLA") recommendations in their requested submission to the Government of Alberta on Access to Non-Pecuniary Damages under Care-First.

We appreciate that the government is taking seriously the need for Albertans to have access to options when they are faced with permanent impairment. Albertans have expressed concern about affordability, but opinion polls, including research conducted by CBA Alberta in March 2025, also highlight Albertans' desire to preserve accountability, particularly when considering life-altering injuries.

We note that ACTLA is not requesting a change in the items listed in the *Permanent Impairment Regulation* which reflect life-altering injuries for Albertans. We believe that the ACTLA proposal strikes the right balance between accountability and affordability where the impact is significant. For this reason, CBA Alberta supports ACTLA's recommendations and in particular, urges the government to consider ACTLA's "permanent impairment or death" proposal.

Other Affordability Measures

CBA Alberta remains highly cognizant that affordability remains the driving factor behind the introduction of the Care-First model. Further, CBA Alberta shares the government's goal that fewer Albertans be injured in the first place. For this reason, we would encourage the government to also consider some of the concepts we shared in March 2020 with the government's Automobile Insurance Advisory Committee, suggestions which we believe could have the effect of reducing claims volume and cost, and which may also result in increased safety, including:

1. devoting more resources to policing the roads;
2. examining whether the current penalties for traffic violations are adequate and whether increasing the penalties for Provincial traffic offenses would lead to less risky behavior;
3. considering changes to traffic controls, speed limits and other options that could reduce collisions in high-risk areas;
4. rewarding drivers of vehicles with more safety features such as lane departure warnings and automatic stopping in imminent collision situations with lesser premiums;
5. considering allowing insurers, with their insured's informed and express consent, to use geo-tracking technology to monitor a person's driving activity resulting in either



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- increasing or decreasing premiums dependent upon the individual's driving conduct;
6. mandatory driver education at regular intervals; and
 7. a legislated requirement for the use of winter tires as a result of the undeniable safety benefits of the same.

Care-First Education for Albertans

Finally, as we get closer to the Care-First implementation date, CBA Alberta strongly urges the government to consider the important role that education must play, not only in the roll-out of the new system, but on an ongoing basis so that Albertans understand their rights and exactly how the Care-First model will support them in their recovery. Albertans injured in motor vehicle accidents must navigate a complex and unfamiliar system, all while attempting to adjust their lives around disability, temporary or permanent. Under the current system, it is lawyers who are the primary educators, devoting effort to helping Albertans understand how to access the care they need.

Under Care-First, Albertans need their own independent and unbiased source of information regarding entitlements so that they can advocate for themselves in a model that relies on self-interested insurance companies to oversee the system. CBA Alberta urges the government to provide and publicize independent and consistent resources as part of its obligation to Albertans under the Care-First model.

We appreciate your consideration of these submissions, and look forward to ongoing consultations with CBA Alberta as you continue to develop your implementation strategy.

Yours sincerely,

CANADIAN BAR ASSOCIATION ALBERTA BRANCH

Christopher N. Samuel
President

- cc. Liam Stone, Deputy Minister, Treasury Board and Finance
Erin O'Neill, Assistant Deputy Minister and Superintendent of Insurance, Pensions and Financial Institutions
David Mulyk, Executive Director, Pension and Insurance Policy at Government of Alberta
Alberta Civil Trial Lawyers Association