



Ontario Public Health Association

l'Association pour la santé publique de l'Ontario

Established/Établi 1949

The mission of OPHA is to provide leadership on issues affecting the public's health and to strengthen the impact of people who are active in public and community health throughout Ontario.

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April 29, 2014

Heather Edwardson  
EBR Coordinator  
Policy and Planning Division  
Transportation Planning Branch  
Ontario Ministry of Transportation  
301 St. Paul Street, 2<sup>nd</sup> Floor  
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Dear Ms. Heather Edwardson,

**RE: Bill 173, Highway Traffic Act (Keeping Ontario's Roads Safe), 2014**

On behalf of the Built Environment Workgroup of the Ontario Public Health Association (OPHA), I want to convey OPHA's support for the proposed amendments related to cycling within the Highway Traffic Act (HTA) and strongly recommend the inclusion of the two other measures to advance road safety.

OPHA is a member-based not-for-profit that has been advancing public health within Ontario for 62 years. We are committed to the prevention of injury and chronic disease and were pleased to have played a role in the changes to the Official MTO's Driver's Handbook. As well, we have provided your Ministry with research into beginner driver education practices as they pertain to sharing the road with cyclists along with resources to support beginner driver education instructors.

We would like to congratulate the Ministry on the proposed changes to HTA which positively reflect the ON Cycling Strategy and some of the recommendations put forth in the Coroner's reviews of cycling and pedestrian deaths in Ontario. In general, the proposed changes contribute to the provision of better recognition of pedestrians and cyclists and provide better clarity on their interaction with motor vehicles. This will help contribute to a safer Ontario for all road users as attributed by the Regional Public Works Commissioners of Ontario<sup>i</sup>. Some areas we would like to highlight as having a positive impact on cycling and walking are the following:

- Section 148(6.1 and 6.2) on passing distances (1 meter) in the overtaking and passing rules when vehicles meet bicycles are very likely to increase cyclist safety as suggested by the Chief Coroner of Ontario and other stakeholders.<sup>ii, iii</sup>
- Regulating cycling on paved shoulders are welcomed as necessary to increase safety and promote ridership in rural areas (section 154 (3)).<sup>iv, v, vi</sup>
- Drivers to remain stopped at a pedestrian crossover or school crossing until the person crossing the street and the school crossing guard are off the roadway has the potential to have a positive impact on pedestrian safety.

- The new definition and regulation of bicycle traffic control signals increases the tools available for local municipality consideration and increased safety.
- Permitting cyclists to carry a rear flashing red lamp and the repeal of fines in HTA section 62 (18) add more flexibility to bicycle users.
- Permitting bicycle lanes in opposed direction of traffic (sections 144 (32e), 147 (2) and 153 (2, 3)) will provide more options for increased connectivity in areas where local municipalities consider appropriate.<sup>vii</sup>
- Increasing fines for users of motor vehicles who open their door without consideration of upcoming bicycle traffic are also welcomed.

In addition to the new measures already included within Bill 173, we would like to recommend two additional changes that would have a significant impact on safety for cyclists and pedestrians.

1. *To offer additional tools or directions for local municipalities to lower the unsigned default speed limit. Section 128 of the current HTA sets 50km/h as the default speed limit within a local municipality.*  
 Motor vehicle speeds above 40km/h and higher have clearly been identified in the literature as a core factor for increased cycling and pedestrian risk.<sup>viii ix x</sup> This is highlighted by 2012 Chief Coroner of Ontario review of pedestrian deaths, which recommends changes to the HTA to allow municipalities to reduce speeds to 40 kilometres an hour on residential streets from the current limit of 50 kilometres an hour.<sup>xi</sup>
2. *To consider clarifying the use of safe pedestrian crossings by municipalities in appropriate mid-block areas.*  
 In the current HTA, more clarity is needed since protected pedestrian crossings are only regulated at locations where vehicles are controlled by a limited number of signal tools. Bill 173 only refers to future regulations but misses the opportunity to provide municipalities with more options to implement mid-block crossings in relevant areas (section 140 (8)). Mid-block pedestrian crossings have been identified as important to improve pedestrian safety and connectivity.<sup>xii</sup>

We thank your Ministry for the opportunity to provide input and we would welcome further consultation to continue to advance road safety in Ontario.

Yours sincerely,



Larry Stinson  
 President  
 Ontario Public Health Association

### **More about the Ontario Public Health Association**

*OPHA has established a strong record of success as the voice of Public Health in Ontario. We are a member-based, not-for-profit association that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public's health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including advocacy, capacity building, research and knowledge exchange and transfer. Our membership represents many disciplines from across multiple sectors.*

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<sup>i</sup> CIMA. (2011). Amendments to the Ontario highway traffic act to support and promote active transportation. Report to the Regional Public Works Commissioners of Ontario Roads and Transportation Sub-Committee.

<sup>ii</sup> Office of the Chief Coroner for Ontario. (2012). Cycling Death Review. A Review of All Accidental Cycling Deaths in Ontario from January 1st, 2006 to December 31st, 2010. Retrieved August 16, 2012, from

[http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office\\_coroner/PublicationsandReports/CyclingDeathReview/DI\\_Cycling\\_Death\\_Review.html](http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/PublicationsandReports/CyclingDeathReview/DI_Cycling_Death_Review.html)

<sup>iii</sup> Share the Road Cycling Coalition. (2010). When Ontario Bikes, Ontario Benefits – A Green Paper on Bicycling in Ontario. Retrieved August 2, 2012, from <http://www.sharetheroad.ca/green-paper-s13320>

<sup>iv</sup> Office of the Chief Coroner for Ontario. (2012). Cycling Death Review. A Review of All Accidental Cycling Deaths in Ontario from January 1st, 2006 to December 31st, 2010. Retrieved August 16, 2012, from

[http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office\\_coroner/PublicationsandReports/CyclingDeathReview/DI\\_Cycling\\_Death\\_Review.html](http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/PublicationsandReports/CyclingDeathReview/DI_Cycling_Death_Review.html)

<sup>v</sup> Region of Peel (2013) Resolution Number 2013-431 to the Honourable Glen R. Murray, Ontario Minister of Transportation, Requesting the Minister of Transportation of Ontario to Amend the Highway Traffic Act to Allow Legal Cycling on Paved Shoulders. Retrieved from

[http://www.brampton.ca/EN/City-Hall/meetings-agendas/Committee%20of%20Council%202010/20130612cw\\_I6.pdf](http://www.brampton.ca/EN/City-Hall/meetings-agendas/Committee%20of%20Council%202010/20130612cw_I6.pdf)

<sup>vi</sup> Also under consideration in Bill 137, Paved Shoulder Construction and Bicycling Act, 2013,

<sup>vii</sup> Share the Road Cycling Coalition. (2010). When Ontario Bikes, Ontario Benefits – A Green Paper on Bicycling in Ontario. Retrieved August 2, 2012, from <http://www.sharetheroad.ca/green-paper-s13320>

<sup>viii</sup> Rosen, E, Sander, U., Pedestrian fatality risk as a function of car impact speed, Accident Analysis and Prevention 41 (2009), 536-542

<sup>ix</sup> Dumbaugh, E., & Li, W. (2010). Designing for the Safety of Pedestrians, Cyclists, and Motorists in Urban Environments. Journal of the American Planning Association, 77(1), 69–88

<sup>x</sup> Kim et al., (2007). Bicyclist injury severities in bicycle-motor vehicle accidents. Accid. Anal. Prev., 39: 238–251

<sup>xi</sup> Office of the Chief Coroner for Ontario (2012) Pedestrian Death Review. Retrieved from <http://news.ontario.ca/mcscs/en/2012/09/chief-coroner-releases-pedestrian-death-review.html>

<sup>xii</sup> Office of the Chief Coroner for Ontario (2012) Pedestrian Death Review. Retrieved from <http://news.ontario.ca/mcscs/en/2012/09/chief-coroner-releases-pedestrian-death-review.html>