



memorandum

DATE: DECEMBER 4, 2013
TO: MAYOR AND MEMBERS OF COUNCIL
FROM: HEATHER A. WILSON
DIRECTOR OF LEGAL SERVICES
RE: COMMUNICATION – COUNCIL MEETING – DECEMBER 10, 2013

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Item #	49
Report No.	52 (CW)
Council - December 10/13	

DEPUTATION – CAROLYN GRECH, COMMITTEE OF THE WHOLE – NOV. 26, 2013

**MEMBER'S BILL 116 – AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT TO
INCREASE THE PENALTY FOR THE USE OF HAND-HELD DEVICES WHILE DRIVING**

On Tuesday November 26, 2013 a deputation was made to Committee of the Whole regarding the CAA distracted driving campaign. The deputant asked Committee to endorse Bill 116, a bill to increase the penalty for use of hand-held devices while driving, which is currently before the Ontario Legislature. Committee directed Staff to provide a report to the Council meeting of December 10, 2013 regarding this Bill and to provide appropriate text of a Council resolution for consideration. Further to this direction, we can advise as follows:

The *Highway Traffic Act* was amended on April 23, 2009 to prohibit driving a motor vehicle on a highway while holding or using a device with a display screen and hand-held electronic communication and entertainment devices. This offence carries a maximum \$155 penalty. Bill 116, *An Act to amend the Highway Traffic Act to increase the penalty for the use of hand-held devices while driving*, received first reading in the Ontario Legislature on October 8, 2013, and would amend the *Highway Traffic Act* to increase the penalty for use of hand-held devices to a minimum of \$300, up to a maximum of \$700. Three demerit points would also be recorded on the offender's driving record. Should Council wish to endorse this Bill, the following resolution may be passed:

Whereas the Ontario Legislature amended the Highway Traffic Act in 2009 to prohibit the use of hand-held devices while driving; and

Whereas the use of hand-held devices is cited as the causal factor in 30-50% of traffic accidents in Ontario, according to Ontario Provincial Police; and

Whereas Council is in strong support of driver and pedestrian safety not only on Vaughan roads, but on roads throughout the Province

Therefore Be It Resolved:

1. Council strongly supports Bill 116, which increases the penalties for the use of hand-held devices while driving;
2. That this resolution be forwarded to Premier Kathleen Wynne, Glenn Murray, Minister of Transportation, and the local members of provincial parliament for support

Heather A. Wilson
Director of Legal Services

Copy to: Barbara Cribbett
Interim City Manager

MaryLee Farrugia
Commissioner of Legal & Administrative Services/City Solicitor