



January 1 - March 31 2009



Pedestrian

Collision Summary

Leaflet - March 2009

This leaflet presents an analysis of pedestrian collisions to March 31, 2009 showing relevant facts and trends.

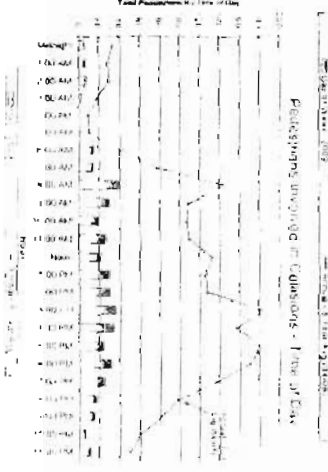
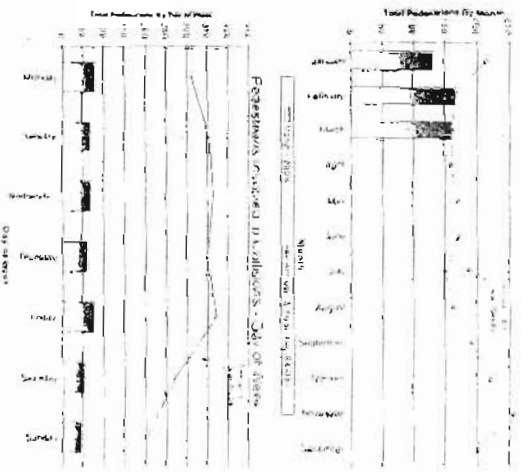
This leaflet includes reportable collisions involving pedestrians with motorized vehicles in the City of Toronto

Fatal Collision: A death that has occurred within 366 days of the collision

Toronto Transportation Services
Traffic Management Centre
Traffic Safety Unit

| Year | Motorist | Motorist | Fatal | Fatal | Total |
|------|----------|----------|-------|-------|-------|
| 2009 | 42 | 2,127 | 4 | 4 | 2,173 |
| 2008 | 42 | 2,231 | 6 | 6 | 2,279 |
| 2007 | 41 | 2,301 | 2 | 2 | 2,344 |
| 2006 | 40 | 2,195 | 3 | 3 | 2,238 |
| 2005 | 36 | 2,037 | 3 | 3 | 2,076 |
| 2004 | 35 | 1,915 | 2 | 2 | 1,952 |
| 2003 | 32 | 1,817 | 2 | 2 | 1,851 |
| 2002 | 28 | 1,739 | 1 | 1 | 1,768 |
| 2001 | 25 | 1,617 | 1 | 1 | 1,643 |
| 2000 | 23 | 1,578 | 1 | 1 | 1,602 |

Pedestrians Involved in Collisions - All City



| Pedestrian Involved in Collision - Pedestrian Age Group by Year | 2009 | | | Annual 5 yr Avg | | |
|---|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| 0-4 yrs | 1 | 0 | 1 | 1 | 0 | 1 |
| 5-14 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 15-19 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 20-24 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 25-29 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 30-34 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 35-39 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 40-44 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 45-49 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 50-54 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 55-59 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 60-64 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 65-69 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 70-74 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 75-79 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 80-84 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 85-89 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| 90-94 yrs | 2 | 0 | 2 | 2 | 0 | 2 |
| Total | 28 | 0 | 28 | 28 | 0 | 28 |

Pedestrians Involved in Collisions - Pedestrian Age Group by Year

| Pedestrians Involved in Collisions - Pedestrian Age Group by Road Class | 2009 | | | Annual 5 yr Avg | | |
|---|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| Highway | 0 | 0 | 0 | 0 | 0 | 0 |
| Arterial | 0 | 0 | 0 | 0 | 0 | 0 |
| Collector | 0 | 0 | 0 | 0 | 0 | 0 |
| Local | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 |

| Pedestrians Involved in Collisions - Traffic Criminal Type by Number of Times Driver Charged | 2009 | | | Annual 5 yr Avg | | |
|--|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| None | 16 | 0 | 16 | 16 | 0 | 16 |
| 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 0 | 16 | 16 | 0 | 16 |

| Pedestrians Involved in Collisions - Traffic Criminal Type by Number of Times Driver Charged | 2009 | | | Annual 5 yr Avg | | |
|--|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| None | 16 | 0 | 16 | 16 | 0 | 16 |
| 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 0 | 16 | 16 | 0 | 16 |

Pedestrians Involved in Collisions - Traffic Criminal Type by Number of Times Driver Charged

| Pedestrians Involved in Collisions - Traffic Criminal Type by Number of Times Driver Charged | 2009 | | | Annual 5 yr Avg | | |
|--|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| None | 16 | 0 | 16 | 16 | 0 | 16 |
| 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 0 | 16 | 16 | 0 | 16 |

| Pedestrians Involved in Collisions - Traffic Criminal Type by Number of Times Driver Charged | 2009 | | | Annual 5 yr Avg | | |
|--|-------------|-------|-------|-----------------|-------|-------|
| | No. injured | Fatal | Total | No. injured | Fatal | Total |
| None | 16 | 0 | 16 | 16 | 0 | 16 |
| 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 0 | 16 | 16 | 0 | 16 |

The collision information presented in this leaflet was summarized from Motor Vehicle Collision Reports obtained from the Toronto Police Service

| Driver Action | 2009 | | | | Annual 5 Yr Avg (2005-2009) |
|------------------------------|-----------|------------|----------|------------|-----------------------------|
| | No Injury | Injured | Fatal | Total | |
| Failed to yield right-of-way | 2 | 190 | 4 | 207 | 86.3 |
| Driving Recklessly | 6 | 113 | 2 | 121 | 77.4 |
| Carpet, Lurching or Blank | 4 | 45 | 0 | 49 | 28.7 |
| Improper Turn | 2 | 37 | 0 | 39 | 19.6 |
| Lost Control | 0 | 23 | 0 | 23 | 7.0 |
| Disobey Traffic Control | 0 | 13 | 0 | 13 | 5.8 |
| Improper Lane Change | 0 | 1 | 0 | 1 | 0.4 |
| Speed too fast for condition | 0 | 2 | 0 | 2 | 0.9 |
| Exceeding Speed Limit | 0 | 1 | 0 | 1 | 0.4 |
| Improper passing | 0 | 1 | 0 | 1 | 0.4 |
| Wrong way on one-way road | 0 | 1 | 0 | 1 | 0.4 |
| Following too close | 0 | 0 | 0 | 0 | 0 |
| Speed too slow | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 438 | 6 | 460 | 228 |

Pedestrian Involved in Collisions - Driver Condition

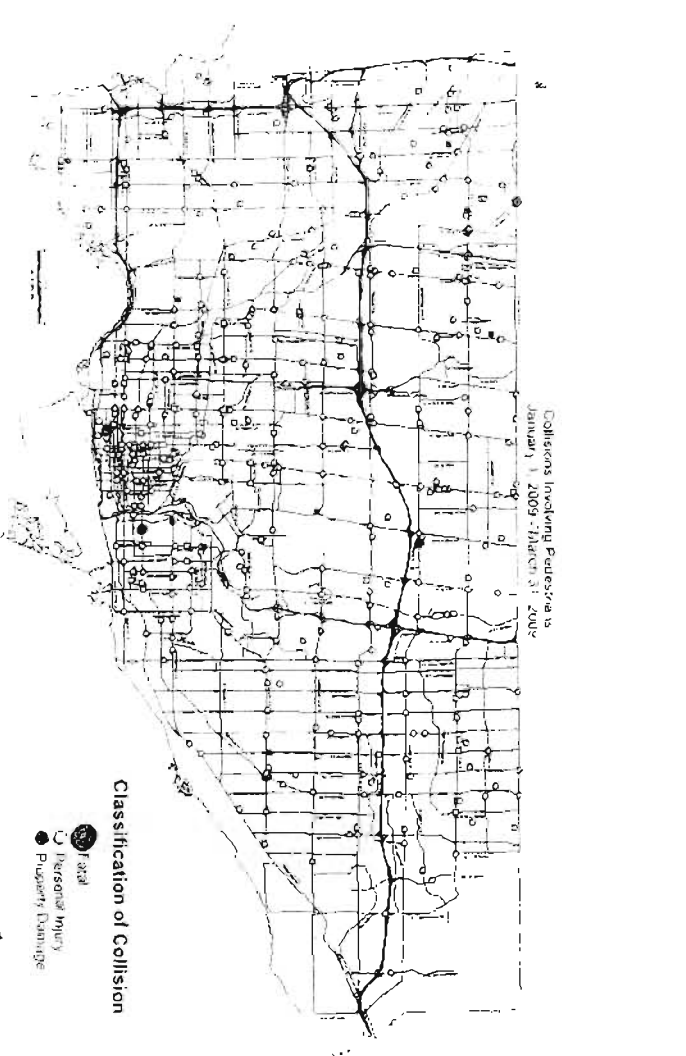
| Driver Condition | 2009 | | | | Annual 5 Yr Avg (2005-2009) |
|---------------------------------------|-----------|------------|----------|------------|-----------------------------|
| | No Injury | Injured | Fatal | Total | |
| Normal | 9 | 249 | 3 | 261 | 96.1 |
| Inattentive | 1 | 89 | 3 | 93 | 36.0 |
| Unknown | 4 | 72 | 0 | 76 | 29.4 |
| Blind | 2 | 11 | 0 | 13 | 4.9 |
| Had been drinking | 0 | 3 | 0 | 3 | 1.1 |
| Ability impaired - alcohol (over .08) | 0 | 1 | 0 | 1 | 0.4 |
| Ability impaired - alcohol | 0 | 1 | 0 | 1 | 0.4 |
| Medical or physical disability | 0 | 1 | 0 | 1 | 0.4 |
| Other | 0 | 1 | 0 | 1 | 0.4 |
| Ability impaired drugs | 0 | 0 | 0 | 0 | 0 |
| Fatigue | 0 | 0 | 0 | 0 | 0 |
| Total | 16 | 438 | 6 | 460 | 228 |

Pedestrian Collision Rate - Toronto compared to other Canadian Cities

| City | Population | Total Collisions | Collision Rate / 100,000 Population | Pedestrian Collisions | Pedestrian Collision Rate / 100,000 Population |
|-----------|------------|------------------|-------------------------------------|-----------------------|--|
| Toronto | 2,651,717 | 65,732 | 2.48 | 1,934 | 7.3 |
| Montreal | 1,854,442 | 37,385 | 2.01 | 1,284 | 6.9 |
| Ottawa | 1,042,992 | 39,542 | 3.79 | 514 | 2.9 |
| Edmonton | 870,800 | 15,638 | 1.79 | 377 | 4.3 |
| Winnipeg | 752,412 | 29,072 | 3.86 | 395 | 5.2 |
| Vancouver | 665,028 | 14,726 | 2.21 | 289 | 4.3 |
| Hamilton | 578,041 | 2,637 | 0.45 | 248 | 4.3 |
| | 511,550 | 3,314 | 0.65 | 243 | 4.8 |

| Collision Types | Pedestrian Collisions - 2009 | | | | Annual 5 Yr Avg (2005-2009) |
|--|------------------------------|------------|----------|------------|-----------------------------|
| | Total | Injured | Fatal | Total | |
| Collision Types | 3 | 118 | 2 | 123 | 41.4 |
| Vehicle turns left while pedestrian crosses - with right-of-way at intersection | 2 | 60 | 0 | 62 | 24.1 |
| Vehicle turns left while pedestrian crosses - with right-of-way at intersection | 1 | 51 | 0 | 52 | 19.6 |
| Pedestrian hit at mid-block locations | 1 | 47 | 1 | 49 | 18.4 |
| Insufficient information to determine pedestrian crash type | 0 | 41 | 1 | 42 | 15.7 |
| Vehicle turns right while pedestrian crosses with right-of-way at intersection | 2 | 35 | 0 | 37 | 14.2 |
| Vehicle is going straight through intersection while pedestrian crosses without right-of-way | 1 | 30 | 0 | 31 | 11.9 |
| Pedestrian hit on sidewalk or shoulder | 3 | 20 | 0 | 23 | 8.8 |
| Vehicle is going straight through intersection while pedestrian crosses with right-of-way | 1 | 14 | 1 | 16 | 6.1 |
| Vehicle turns left while pedestrian crosses without right-of-way at intersection | 0 | 12 | 1 | 13 | 4.9 |
| Pedestrian hit at pedestrian crosswalk (walk) | 0 | 7 | 0 | 7 | 2.7 |
| Vehicle turns right while pedestrian crosses without right-of-way at intersection | 0 | 7 | 0 | 7 | 2.7 |
| Pedestrian hit at private driveway | 0 | 1 | 0 | 1 | 0.4 |
| Total | 16 | 438 | 6 | 460 | 228 |

Pedestrian Collisions - Collision Type



**Careless Driving and Public Safety:
Curtail the Pandemic by Raising the Bar**

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Policy and Research Paper

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<http://www.urbanneighbourhoods.org>

January 11, 2010



Careless Driving and Public Safety: Curtail the Pandemic by Raising the Bar

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1. Purpose of Report

In a previous report titled, *Application of Walking Security Index Research to Standard of Care Situations and Analysis*, (Wellar, 2009) I discussed a number of issues related to the topic of "care", with emphasis on municipal government duties and activities that affect the safety, comfort and convenience of pedestrians. At the request of the Federation of Urban Neighbourhoods this report continues examining the standard of care theme, but with an emphasis on:

1. Identifying and examining events and practices associated with careless driving.
2. Making suggestions to drivers, law enforcement agencies, and provincial and municipal governments about steps to curtail the frequency of careless driving events in Ontario.
3. Proposing how the Federation of Urban Neighbourhoods could assist drivers, law enforcement agencies, and provincial and municipal governments raise the bar in order to achieve a significant reduction in careless driving practices.

As Federation members are aware, careless driving of motor vehicles is a public safety issue that affects the well-being of all highway users, including pedestrians, cyclists, and motor vehicle operators and their passengers. In addition, careless driving affects people in their own yards as well as on public property such as parks, and is also a cause of damage to public and private property. Further, careless driving occurs on neighbourhood streets, regional roads, 400-series highways, public and private parking lots, and seemingly just about anywhere throughout the province that motor vehicles can be driven.

It is therefore appropriate for this report to be of a general nature with widespread applicability. Then, in future reports, such as one about standard of care matters involving provincial and municipal governments and their agencies, I can address specific careless driving initiatives that I believe are needed to deal with a public safety issue that appears to have reached ***pandemic proportions***.

With regard to the phrase ***pandemic proportions***, it is used advisedly. According to the latest data available from the *Ontario Road Safety Annual Report (ORSAR)* (http://www.mto.gov.on.ca/english/safety/orsar/orsar06/chp3_1_06.shtml#ref_3a)

a total of 398,385 motor vehicles were involved in collisions based on initial impact in the year 2006.

Rounding off the collision total, it appears fair to state that at present there are approximately **400,000** reported motor vehicle “accidents” per year in Ontario. In addition to reported accidents or reported or recorded collisions, however, there are those which are not reported, and my research suggests that for every accident which is reported there are two or three or more which are not reported.

Further, and as many motorists have attested in discussions about this matter, during a single 10-kilometer trip during daylight hours in any urban area in the province it is possible to witness multiple examples of careless driving which do not result in collisions, crashes, or other “accidents”, but which occur nevertheless.

Given the high probability, therefore, that the frequency of careless driving numbers in the many millions of events per year, as well as the likelihood that careless driving occurs on roads throughout the province, **pandemic** is a very apt term to describe the careless driving situation in Ontario.

As to the forum in which to present this report, the Federation of Urban Neighbourhoods has emerged as a leader in championing public interest concerns that warrant attention and action by citizens and governments. I am therefore pleased to assist that mission by preparing a report on initiatives to reduce careless driving in the Federation members’ communities, as well as on roads and at places throughout Ontario.

The final comment in the purpose section is to note that while the emphasis in this report is on the careless driving situation in Ontario, much of the material seems to be applicable to the careless driving situation in other provinces and territories in Canada, as well as to provinces and states in other countries. I am not aware of any group that provides a basis for inter- jurisdictional comparisons along the lines discussed in this report, but if one (or more) exists then I would welcome receipt of the name and other information about the group(s).

2. Report Design

I believe that it is better to adopt a popular rather than an analytical/scientific approach for the initial commentary. It is my experience that materials of a popular nature will be of interest to more people than is likely to be the case with what might be the equivalent of an expert witness statement. That is, expert witness-type statements tend to be relatively dry, relatively narrow, and highly technical. However, motor vehicle accidents are everyday events in all seasons of the year in Ontario, and involve drivers of all age groups, both genders, and all socioeconomic groups.

In the interests of inclusiveness, therefore, the initial report on the topic of careless driving is broad in terms of scope, open in terms of inviting questions, comments, and

suggested additions, and is written in lay terms to invite consideration by anyone who has an interest in whether motor vehicles are driven carefully or carelessly, and the consequences of driving one way or the other. Further, since this is an “ice-breaker” report, references are kept to a minimum.

Part 3 contains several statements from the *Highway Traffic Act (HTA)* of Ontario to provide the public safety context for the report, and to establish the legal frame of reference for the offence of careless driving. (Government of Ontario, 2009a). Then, part 4 elaborates the term “accident”, and part 5 explores the “factors” that cause or contribute to accidents.

For the purposes of this report, materials contained in media stories are used to illustrate the scope of motor vehicle accidents, and the diverse circumstances, events, and practices that are advanced, suggested, proposed, etc., as causes or contributors to motor vehicle accidents. As some readers may be aware, the approach of using newspapers in research for the Walking Security Index project proved to be a very valuable means of identifying variables, specifying relationships, and conducting comparative analysis between the situation in Ottawa and the situation in other localities (Wellar, 2000). The design of this report benefits from that experience.

In part 6, suggestions are made about ending the pandemic of careless driving in Ontario by raising the bar in regard to the behaviour of motor vehicle operators, and by raising the bar in regard to the performance and initiatives of government agencies and officials responsible for the safety of all users of Ontario’s roads.

Part 7 concludes the main body of the report with suggestions about how the Federation of Urban Neighbourhoods could help to curtail the careless driving pandemic.

Appendix 1 is an addition prepared after completing the main body of text for the report. Although the print and television media as well as Internet sites contain numerous illustrations of “bad motor vehicle events”, including a selection of graphics in the report could provide context, and could also be instructive as a means to promote more honesty about the causes of motor vehicle accidents.

One of the themes of the report is that careless driving may be a more frequent factor in “bad motor vehicle events” than one might be led to believe by media stories and photograph and image captions. It is my impression that even the small selection of graphics in Appendix 1 is sufficient to make the point that while the finger of blame can point in various directions when it comes to causes of and contributors to accidents, perhaps more pointing at drivers and their driving practices may be the key to effectively and expeditiously dealing with the careless driving pandemic in Ontario.

3. Part IX, *Highway Traffic Act* (Ontario), Rate of Speed

Part IX, Rate of Speed of the *Highway Traffic Act* includes section 128, Rate of speed, and section 130, Careless driving. The primary focus of this paper is on Section 130 (Careless driving), but since speed is often associated with careless driving practices and charges, reference is also made to Section 128 (Rate of speed). For the purposes of this report, it is sufficient to excerpt only the directly pertinent materials. Readers who wish to examine the materials in more detail can access the *Act* and all the regulations at www.e-laws.gov.on.ca.

a. *Highway Traffic Act*, Section 128, Rate of Speed

Section 128 contains a number of sub-sections, and all of them are likely known to any prudent person with an Ontario driver's license. And, if not known, they can be viewed by accessing the *HTA* at www.e-laws.gov.on.ca. However, there are connections between section 128 and section 130 that need to be made explicit in this report in order to more fully explain the occurrence of a careless driving offence, and the connections of interest are in the directive language of section 128. The pertinent directive language in section 128 is as follows:

128. (1) No person shall drive a motor vehicle at a rate of speed greater than,
- (a) (details in *Act*)
 - (b) (details in *Act*)
 - (c) (details in *Act*)
 - (d) (details in *Act*)
 - (e) the maximum rate of speed set
 - (f) the maximum rate of speed

Section 128 establishes the rate of speed conditions, and the language that precedes the details of section 128 appears to qualify as "crystal clear". That is, for whatever the set speed limit may be, "No person shall drive a motor vehicle at a rate of speed greater than"

Could it be any more obvious that the posted speed is the upper limit? Not in my opinion, but I welcome receiving suggestions about more explicit language.

As for the word "maximum", when used in conjunction with speed limit it means the highest, legally-acceptable rate of speed under any circumstances associated with sub-sections (a) to (f), and any vehicle driven at a rate of speed exceeding the posted limit is in contravention of section 128 (Rate of speed) of the *Highway Traffic Act*.

Could any subsection of section 128 containing the word "maximum" be any clearer? Not in my opinion, but I welcome receiving suggestions about more explicit language.

b. Highway Traffic Act, Section 130, Careless Driving

130. “Every person is guilty of the offence of driving carelessly who drives a vehicle or street car on a highway without due care and attention or without reasonable consideration for other persons using the highway”

At first glance it may appear that the language in section **130** is not as explicit as the language in **128**. That is, in **128** the speed limit is a number, maximum means the posted number on roadside signs, in by-laws, or in other legal documents, and there is nothing to be debated. Simply put, the upper limit is the upper limit, end of story.

In **130** the phrases about driving without “due care and attention” and “reasonable consideration” may be construed to include the aspect of degree, and to thereby provide a basis for arguing that a vehicle was not being driven carelessly. A statement of defence could be along such lines as “Maybe my level of care and attention was not perfect, and maybe my consideration for others could have been better, but that does not mean I was driving carelessly.”

However, successfully making that argument may be fraught with difficulty. By way of brief comment, if a motor vehicle event occurs or a driving practice is observed which is an offence under the *Highway Traffic Act*, then a form of driving other than careful was apparently practised.

Further, if an incident or accident injures or kills someone, or precipitates a reaction or response by another highway user which in turn injures or kills someone, then on its face the situation points in the direction of driving carelessly rather than carefully. That is, the motor vehicles were operated without due care and attention or without reasonable consideration for other persons using the highway.

And that brief comment about the general nature of careless driving brings me to section 4 of this report.

Ascertaining whether a motor vehicle is driven carefully or carelessly is found in the events or practices of the driving experience. The next part of the report identifies some of the events and practices which are illustrative of the kinds of outcomes and observations associated with careless driving.

4. “Accidents” in Newspaper and Other Media Stories

Examination of any daily newspaper published any day of the week in Ontario and anywhere else in Canada, as well as throughout the United States, frequently yields one or more reports about motor vehicle “accidents”. Indeed, scans of several dozen daily newspapers over the course of the past month did not yield even one issue that did not contain a motor vehicle “accident” story.

In terms of how traffic events are handled, there is considerable variation. In some cases the papers contain one summary report on multiple accidents, and in others there are multiple reports on single accidents as well as on multiple accidents. And, as media watchers can attest, similar attention is given to motor vehicle accidents in daily radio and television broadcasts. Further, the more spectacular the accident the more coverage it receives in newspapers and in the other media.

The reason for writing "accidents" in quotation marks in the heading and text is to signal the need to include a word of clarification, and to be consistent with questions raised about the term in earlier research on the Walking Security Index, 1995-2002.

That is, it is frequently the case that the presence of a person lying under a bus, car, or truck at an intersection, or mangled cars, minivans, SUVs, trucks, bicycles, motorcycles, etc., along with pools of coolant, pieces of broken glass and plastic, etc., is sufficient for observers to readily and reliably ascertain that a crash or a collision has occurred. However, whether the crash or collision was an accident rather than a foregone conclusion, a foreseen event, a predictable outcome, or an act of premeditation, consideration, intention, deliberation, etc., requires analysis.

As a result, it is my preference to use the term *incident* or *incidents* to refer to a motor vehicle event or series of events. However, since the media use the term accidents in an umbrella-like fashion to cover what might be termed "bad motor vehicle events", and the general public seems to be comfortable with the term accidents, it is used in this report.

With regard to the terms or phrases used in media reports to describe what happened or what apparently happened at the scene of situations that give rise to the phrase, "motor vehicle accident", "car accident", "truck accident", etc., those listed in Table 1 are illustrative. The selected terms and phrases are contained in quotes from police officers, tow truck operators, paramedics, and other on-the-scene witnesses, or they may be written into the story by reporters, columnists, editors, and others who prepare news reports.

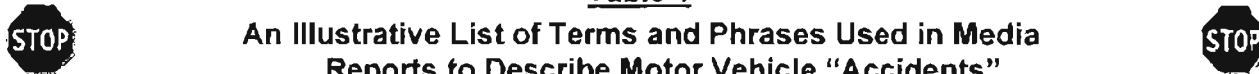
Based on prior experience and the work done for this report, I urge that further research be done on the labelling matter, in academia as well as within the agencies that use these terms in their operational activities.

Towards that end, it is my experience that a visit to an *Ontario Road Safety Annual Report (ORSAR)* may be instructive (Government of Ontario, 2009b). The annual report uses the term "collisions" rather than accidents, and motor vehicle



Table 1

An Illustrative List of Terms and Phrases Used in Media Reports to Describe Motor Vehicle “Accidents”



1. Chain reaction
2. Collision
3. Crash
4. Cyclist doored by delivery van
5. Drove into abutment
6. Drove into ditch
7. Drove into hydro pole
8. Drove into snow bank
9. Drove into tree
10. End-over-end crash
11. Fiery scene
12. Flipped car
13. Fender bender
14. Havoc on roads
15. Head-on crash
16. Highway collision course
17. Highway mayhem
18. Hit abutment
19. Hit building
20. Hit bus, then hit by oncoming truck
21. Hit car, then utility pole
22. Hit cyclists who were in bike lane
23. Hit (the) ditch
24. Hit guide rail
25. Hit hydrant
26. Hit parked minivan
27. Hit pedestrian in crosswalk
28. Hit rock face
29. Hit SUV in bus lane
30. Hit telephone pole
31. Hit tree when car left road
32. Hit truck in roundabout
33. Looks like a demolition derby
34. Motorcyclist injured in hit-and-run
35. Pedestrian hit by bus
36. Pedestrian knocked down by cyclist
37. Pedestrian knocked down by SUV
38. Pedestrian run over by bus
39. Pedestrian slides under bus
40. Pile-up

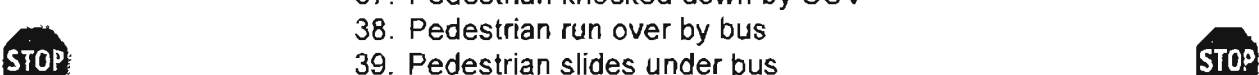
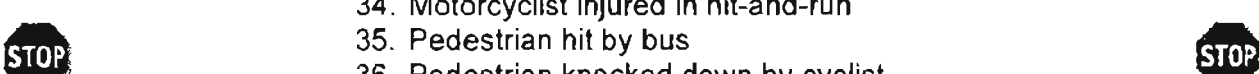
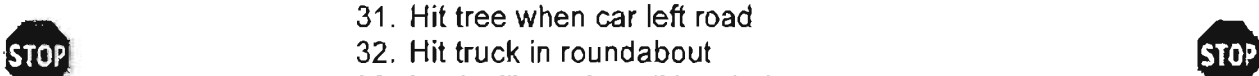
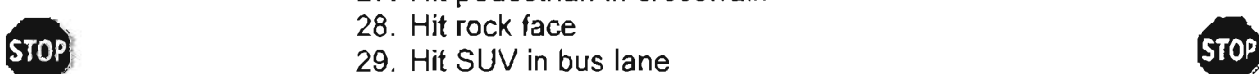
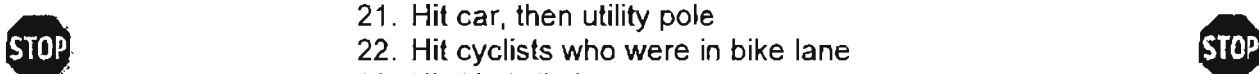
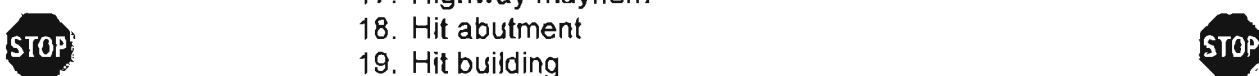
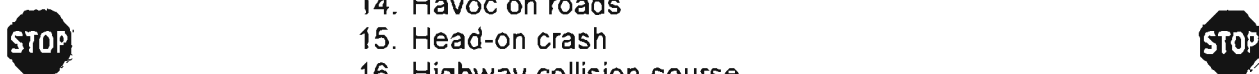
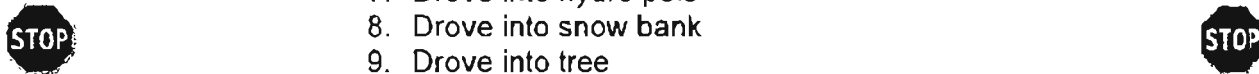
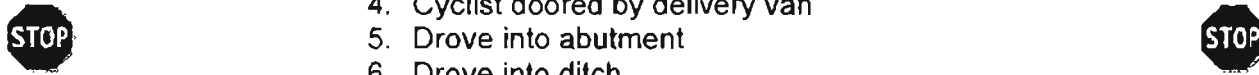















































Table 1 (continued)

An Illustrative List of Terms and Phrases Used in Media Reports to Describe Motor Vehicle “Accidents”

- | | | |
|---|---|---|
|  | |  |
|  | 41. Police name man killed by pickup |  |
|  | 42. Rear-ender |  |
|  | 43. Roll-over |  |
|  | 44. Side-swiped cyclist |  |
|  | 45. Skidded into stopped truck |  |
|  | 46. Slid into crosswalk |  |
|  | 47. Slid off road |  |
|  | 48. Smash-up |  |
|  | 49. Spectacular multi-vehicle accident |  |
|  | 50. Spun out of control |  |
|  | 51. Streetcar hit by motorcycle |  |
|  | 52. SUV mounted sidewalk, hit bus shelter |  |
|  | 53. T-boned car, Jaws of Life needed |  |
|  | 54. Totalled |  |
|  | 55. Traffic chaos |  |
|  | 56. Trailer comes loose |  |
|  | 57. Train hit by car |  |
|  | 58. Train hits car |  |
|  | 59. Train hit by truck |  |
|  | 60. Train hits truck |  |
| | 61. Truck rammed car |  |
| | 62. Vehicle flips | |
| | 63. Vehicle overturns | |
| | 64. Went through flashing red, hit by SUV | |
| | 65. Went through stop sign, car t-boned | |
| | 66. Went through the ice | |
| | 67. Wheel comes off truck | |
| | 68. Wraparound | |



collisions are classified in terms of whether they involve moveable objects, fixed objects, or other events.

I believe the *ORSAR* approach has a lot of merit, and that it represents a solid foundation for more definitively defining “bad motor vehicle events”. I would also suggest, however, to be prepared for seeming inconsistencies in protocols. To briefly illustrate this concern, the heading of one of the forms used by municipal police services in Ontario is “Motor Vehicle Accident Report”, rather than “Motor Vehicle Collision Report”. It therefore seems to me that it would be instructive to obtain all the

forms which are used by both provincial and municipal police services in order to fully examine the terminology matter.

To return to Table 1, the critical feature about the terms and phrases for this report is not the number, but the kinds of incidents that fall within the rubric of accident. As suggested by Table 1, there are a number of ways for motor vehicles to become involved in bad motor vehicle events, which points to the disadvantage of lumping or combining the many kinds of bad events under the loose heading of accidents.

That is, given that there are many kinds of incidents, and many different causes of these incidents, it is helpful from an analytical or remedial perspective if the incidents are described by specific terms.

Conversely, it is not helpful in terms of information or analysis if a variety of incidents are covered by the popular but ambiguous term, accident.

Further, it is my impression that there are many more terms and phrases to be added to Table 1. A more comprehensive list of entries would no doubt be more informative as well as more instructive, and I welcome suggestions about items for inclusion. To assist in organizing the materials, it would be appreciated if the province or state in which the term or phrase is used in a media report is noted. Readers are invited to send suggestions to wellarb@uottawa.ca.

It appears fair to say, relatively speaking, that each of the kinds of accident listed in Table 1 is more likely to result because a motor vehicle is driven carelessly rather than driven carefully. However, the accident itself may not tell the full story, since it is possible that some accidents occur even though the motor vehicle operators are in compliance with section 130 and drive "...with due care and attention and with reasonable consideration for other persons using the highway..." [with is replacing without in this rephrasing of section 130].

Due to the fact, therefore, that not all accidents are the result of careless driving, it is necessary to establish on a case-by-case basis whether there is a cause-effect relationship between driving carelessly and the occurrence of an accident.

The next section discusses the cause part of the cause-effect relationship by exploring the factors which are mentioned in media stories as being real or potential causes of and/or contributors to accidents.

5. "Factors" in Newspaper and Other Media Accident Stories

Media stories about motor vehicle accidents frequently include a comment about the "factor" or "factors" which may have caused or contributed to a motor vehicle accident. Table 2 contains an illustrative selection of the factors that appear in media stories as possible or potential causes or contributors to traffic accident situations such as those listed in Table 1.



Table 2

An Illustrative List of Factors Mentioned in Media Stories as Apparent, Possible, Potential, and Probable Causes of and Contributors to Motor Vehicle "Accidents"





























- | | | |
|---|--|---|
|  | 1. Alcohol |  |
| | 2. Animals | |
|  | 3. Black ice |  |
| | 4. Blinded by blowing snow | |
|  | 5. Blinded by headlights |  |
| | 6. Blinded by slush thrown by truck | |
|  | 7. Blinded by sun |  |
| | 8. Blizzard conditions | |
|  | 9. Brakes failed |  |
| | 10. Burned by dropped cigarette | |
|  | 11. Center line crossed by V1, hit by V2 |  |
| | 12. Chunk of ice fell off truck trailer | |
|  | 13. Cut across bike lane, hit cyclist |  |
| | 14. Defroster not working properly | |
|  | 15. Did not clear vehicle of snow |  |
| | 16. Did not hear bell (bicycle) | |
|  | 17. Did not hear siren |  |
| | 18. Did not hear whistle | |
|  | 19. Did not secure load |  |
| | 20. Did not see bus | |
|  | 21. Did not see cyclist |  |
| | 22. Did not see pedestrian | |
|  | 23. Did not see red light |  |
| | 24. Did not see snow plow | |
|  | 25. Did not see stop sign |  |
| | 26. Did not see train | |
|  | 27. Did not see truck |  |





Table 2 (continued)

An Illustrative List of Factors Mentioned in Media Stories as Apparent, Possible, Potential, and Probable Causes of and Contributors to Motor Vehicle “Accidents”



























| | | |
|---|--|---|
|  | |  |
|  | 28. Did not shoulder check |  |
|  | 29. Did not signal turn |  |
|  | 30. Dog jumping around in cab of truck |  |
|  | 31. Driver aggressive |  |
|  | 32. Driver angry |  |
|  | 33. Driver asleep |  |
|  | 34. Driver bored |  |
|  | 35. Driver confused |  |
|  | 36. Driver distracted |  |
|  | 37. Driver drowsy |  |
|  | 38. Driver drug-impaired |  |
|  | 39. Driver drunk |  |
|  | 40. Driver fatigued |  |
|  | 41. Driver frustrated |  |
| | 42. Driver harried | |
| | 43. Driver hassled | |
| | 44. Driver health-impaired | |
| | 45. Driver in a hurry | |
| | 46. Driver inattentive | |
| | 47. Driver inebriated | |
| | 48. Driver not paying attention | |
| | 49. Driver pre-occupied | |
| | 50. Driver rushed | |
| | 51. Driver sleepy | |
| | 52. Driver tired | |
| | 53. Driver unfamiliar with road | |
| | 54. Driver vision-impaired | |
| | 55. Drop-off excessive | |
| | 56. Drugs | |
| | 57. Entered lane of oncoming traffic | |
| | 58. Failed to yield | |
| | 59. Failed to stop | |
| | 60. Fish-tailed | |
| | 61. Fog | |
| | 62. Fog like pea soup | |
| | 63. Followed tail lights in front into field | |
| | 64. Foot slipped off brake | |
| | 65. Got cut off | |
| | 66. Gusting winds | |





Table 2 (continued)

An Illustrative List of Factors Mentioned in Media Stories as Apparent, Possible, Potential, and Probable Causes of and Contributors to Motor Vehicle “Accidents”

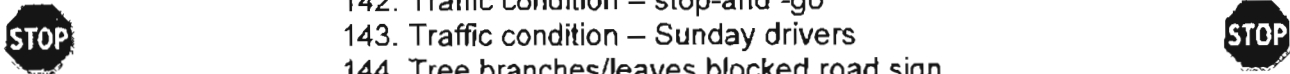
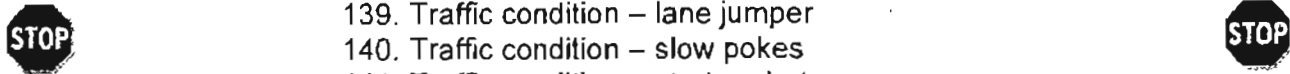
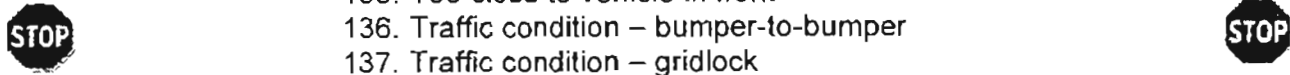
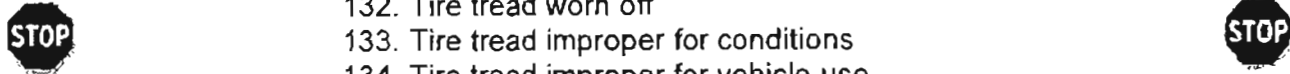
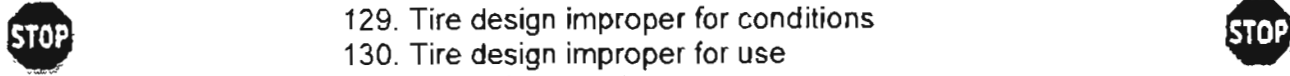
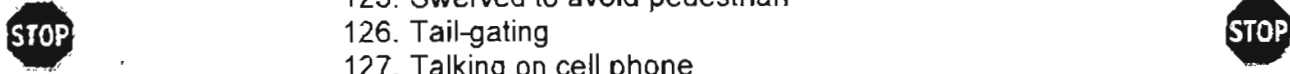
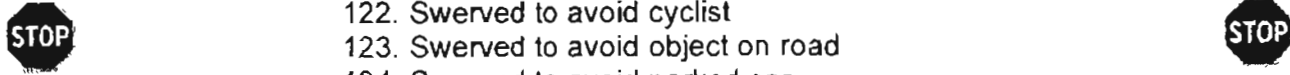
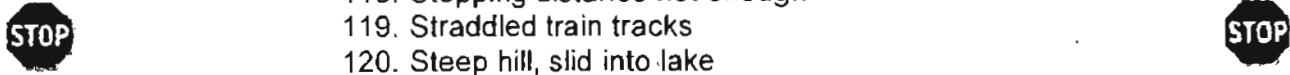
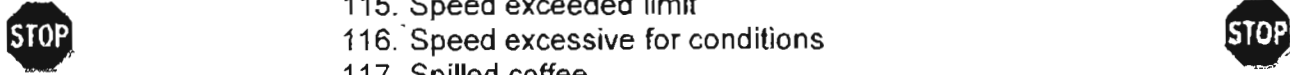
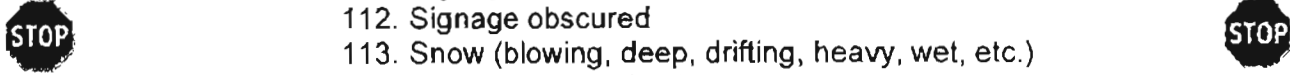
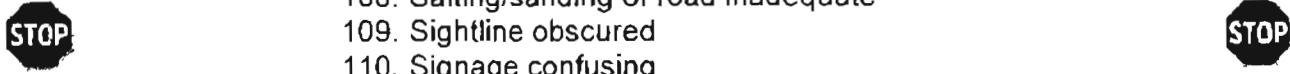
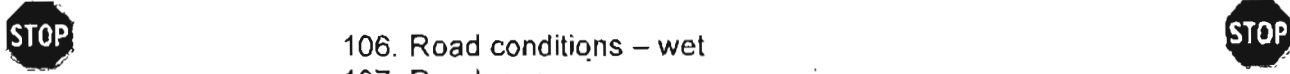


- 67. Heater not working, could not clear windshield
- 68. Hit gas pedal instead of brake
- 69. Hit gravel shoulder
- 70. Hit scrap metal that fell off truck
- 71. Hornet inside car
- 72. Illegal left turn
- 73. Illegal right turn
- 74. Jack-knifed
- 75. Jumped curb
- 76. Left road to avoid collision
- 77. Lighting (street) at intersection poor
- 78. Load fell off truck in front
- 79. Load shifted
- 80. Lost control
- 81. Missed curve
- 82. Missed making the turn
- 83. Mist
- 84. Over-corrected after hitting shoulder
- 85. Overgrowth blocked sightline of driver
- 86. Pea soup shroud
- 87. Pulled out to pass, could not get back in
- 88. Rain (freezing, heavy, slashing, etc.)
- 89. Ran the red
- 90. Ran off the road
- 91. Ran down a cyclist
- 92. Ran over a pedestrian
- 93. Reversed in wrong lane
- 94. Reversed without looking
- 95. Riding bumper of car in front
- 96. Road conditions – broken pavement
- 97. Road conditions – bumpy
- 98. Road conditions – icy
- 99. Road conditions – pot-holed
- 100. Road conditions – rough
- 101. Road conditions – slippery
- 102. Road conditions – slush-covered
- 103. Road conditions – snow-covered
- 104. Road conditions – washboard
- 105. Road conditions – wash-out



Table 2 (continued)

An Illustrative List of Factors Mentioned in Media Stories as Apparent, Possible, Potential, and Probable Causes of and Contributors to Motor Vehicle “Accidents”



- 106. Road conditions – wet
- 107. Road rage
- 108. Salting/sanding of road inadequate
- 109. Sightline obscured
- 110. Signage confusing
- 111. Signage improper
- 112. Signage obscured
- 113. Snow (blowing, deep, drifting, heavy, wet, etc.)
- 114. Snow not properly plowed
- 115. Speed exceeded limit
- 116. Speed excessive for conditions
- 117. Spilled coffee
- 118. Stopping distance not enough
- 119. Straddled train tracks
- 120. Steep hill, slid into lake
- 121. Swerved to avoid bus
- 122. Swerved to avoid cyclist
- 123. Swerved to avoid object on road
- 124. Swerved to avoid parked car
- 125. Swerved to avoid pedestrian
- 126. Tail-gating
- 127. Talking on cell phone
- 128. Tire blow-out
- 129. Tire design improper for conditions
- 130. Tire design improper for use
- 131. Tire(s) improperly inflated
- 132. Tire tread worn off
- 133. Tire tread improper for conditions
- 134. Tire tread improper for vehicle use
- 135. Too close to vehicle in front
- 136. Traffic condition – bumper-to-bumper
- 137. Traffic condition – gridlock
- 138. Traffic condition – jaywalkers
- 139. Traffic condition – lane jumper
- 140. Traffic condition – slow pokes
- 141. Traffic condition – start-and-stop
- 142. Traffic condition – stop-and-go
- 143. Traffic condition – Sunday drivers
- 144. Tree branches/leaves blocked road sign

| STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | |
|------|--|------|------|------|------|------|------|------|------|------|------|
| STOP | Table 2 (continued) | | | | | | | | | | STOP |
| STOP | An Illustrative List of Factors Mentioned in Media Stories as Apparent, Possible, Potential, and Probable Causes of and Contributors to Motor Vehicle "Accidents" | | | | | | | | | | STOP |
| STOP | 145. Tried to beat the train, lost | | | | | | | | | | STOP |
| STOP | 146. Turn error, backed into ditch | | | | | | | | | | STOP |
| STOP | 147. Veered into bike lane, hit cyclist | | | | | | | | | | STOP |
| STOP | 148. Vehicle hydroplaned | | | | | | | | | | STOP |
| STOP | 149. Vehicle improperly loaded | | | | | | | | | | STOP |
| STOP | 150. Vehicle over-loaded | | | | | | | | | | STOP |
| STOP | 151. View blocked by arm holding phone | | | | | | | | | | STOP |
| STOP | 152. Visibility limited – darkness | | | | | | | | | | STOP |
| STOP | 153. Visibility limited – fog | | | | | | | | | | STOP |
| STOP | 154. Visibility limited – lights in eyes | | | | | | | | | | STOP |
| STOP | 155. Visibility limited – rain | | | | | | | | | | STOP |
| STOP | 156. Visibility limited – snow | | | | | | | | | | STOP |
| STOP | 157. Visibility limited – sun | | | | | | | | | | STOP |
| STOP | 158. Visibility limited – weather | | | | | | | | | | STOP |
| STOP | 159. Windows darkly tinted, no eye contact | | | | | | | | | | STOP |
| STOP | 160. Wrong way on one-way street | | | | | | | | | | STOP |
| STOP | 161. Weather conditions | | | | | | | | | | STOP |
| STOP | 162. "Whiteout" | | | | | | | | | | STOP |
| STOP | 163. Windshield covered by condensation (inside) | | | | | | | | | | STOP |
| STOP | 164. Windshield covered by ice (outside) | | | | | | | | | | STOP |
| STOP | 165. Wipers not working properly | | | | | | | | | | STOP |
| STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | STOP | |

As shown by the factors listed in Table 2, there are many potential causes and/or contributors to motor vehicle accidents, and they can be factual as well as claimed, hypothesized, speculated, etc. Moreover, one factor can precipitate other factors, or lead to other factors coming into play, with the result that multiple factors could contribute to or combine to cause an accident.

Again, the critical element is not the number of entries in Table 2, but the meaning of the entries. That is, when it comes to the issue of careless driving the question arises as to whether the factors point toward one of two determinations:

1. An accident occurred because of careless driving on the part of the motor vehicle operator.
2. An accident occurred for a reason or reasons other than careless driving on the part of the motor vehicle operator.

In the first case it is a matter of determining which of the factors can be held to cause the accident, and to then demonstrate that because of what he/she did or did not do with regard to the factors that led to the accident, the motor vehicle operator committed the offence of driving carelessly.

In the second case it is also a matter of determining which of the factors can be held to cause the accident. However, in this situation the task is to demonstrate that while an accident occurred, it cannot be attributed to careless driving. By way of brief elaboration, if the drop-off (interface between road and shoulder) is excessive, if the timing of plowing and salting are inappropriate for conditions, if sightlines are obscured by vegetation, if signage is confusing, or if a road is deeply potholed or in some other form of disrepair, then there is the potential basis for an argument that the municipal or provincial government bears some and perhaps all the responsibility for an accident.

The next section uses some of the factors in if-then statements to suggest how a motor vehicle operator can take steps to reduce or eliminate the likelihood of a factor causing or contributing to an accident. And, by the same token, the if-then approach also contains suggestions as to how law enforcement officers can better ascertain whether, in the event of an accident as per Table 1, the motor vehicle operator failed to properly deal with one or more of the factors illustrated by Table 2, and should therefore be charged accordingly for the offence of driving carelessly.

6. Suggestions for Raising the Bar to Deal with the Pandemic of Careless Driving in Ontario

This section contains suggestions for motor vehicle operators, law enforcement officials, governments, as well as for associations which are members of the Federation of Urban Neighbourhoods. Because this is an initial report on a topic with a number of dimensions, the suggestions are preliminary and indicative, with sharper suggestions to follow in due course. However, it appears fair to say that in the absence of better suggestions from other sources, those which are offered appear sufficient to justify dialogue and then action in order to deal in the immediate future with a pandemic that has been building for decades with no apparent institutional remedy in sight, or even on the "drawing board".

a. Raising the Careless Driving Bar for Drivers

The place to begin in dealing with the careless driving pandemic in Ontario is with drivers, because drivers are the people who cause, contribute to, and are involved in motor vehicle accidents.

I have one very basic suggestion to drivers, and it is that they read Table 2 carefully, paying particular attention to any factors which they may have used, or encountered, in explanations or discussions involving motor vehicle accidents. It is my opinion that most of the factors can be totally discounted as legitimate reasons for an accident to

occur. Or, to re-phrase the comment, attempting to put the blame on many of the factors as causes of accidents is an exercise in crooked thinking. In a nutshell then, the suggestion to drivers is that they regard Table 2 as a means for honestly coming to grips with the high likelihood that drivers are the foremost reason there is a careless driving pandemic in Ontario.

To illustrate what I have in mind regarding the weakness of many of the factors as reasons for accidents, several if-then statements using factors from Table 2 are presented in Table 3. It is my expectation that similar statements could be made for the vast majority of entries in Table 2, and a comprehensive effort would amount to a near-total discounting of these factors as primary or even secondary causes of or contributors to accidents.

It is emphasized that the if-then statements are made for illustrative purposes, and are indicative in nature. If a recognized safety body has produced definitive documentation on the matters discussed, and the documentation is in the public domain, then I defer to that higher authority. I note in this regard that my literature search identified some pertinent materials on the Ministry of Transportation site (<http://www.mto.gov.on.ca/english/safety/>), but those materials do not appear to deal with all the factors and features in this report. I therefore welcome the requested reference(s) being brought to my attention at the earliest moment, so that I can amend this report accordingly.

As for the reasoning behind what might be called the "blame syndrome", it is intended to address the reality that many factors can easily be addressed through obvious and reasonable actions by drivers who wish to drive carefully. Further, it seems to me, failure to adopt such obvious and reasonable actions, most of which require little more than good sense to establish their validity, is very revealing. That is, when drivers do not make the choice to drive carefully, then by default they are making another decision, and that is to choose to operate a motor vehicle "...without due care and attention or without reasonable consideration for other persons using the highway" (*Highway Traffic Act*, section 130, Government of Ontario, 2009a).

And, I hasten to add, the consequence of making a deliberate decision to drive a motor vehicle carelessly not only goes against the notion of accident, but it could also have serious consequences in terms of insurance coverage, civil liability, and criminal charges. Regrettably, further discussion of this potentially very critical careless driving issue is beyond the purview of the present report, so it is flagged as an issue that warrants detailed consideration in a subsequent report.



Again, the if-then statements in Table 3 are illustrative, and no doubt there are other kinds of initiatives that could be taken to deal with the problems identified by the "if" parts of the statements. However, I believe the suggested responses or actions in the "then" parts are sufficient to establish the distinction between driving carefully and driving carelessly.






Table 3



An Illustrative List of Remedial Actions to Deal with Accident Factors







 • If the sun is in your eyes, then put on sun glasses. 



 • If the sun is in your eyes and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 



 • If it is snowing, then slow down. 

 • If it is snowing and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 



 • If frost is forming on the highway, then slow down. 



 • If there is frost on the highway and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 



 • If ice is forming on the highway, then slow down. 



 • If there is ice on the highway and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 



 • If there is ground-level fog, then slow down. 



 • If there is ground-level fog and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 



 • If darkness or other factor makes it difficult to see, then slow down. 

 • If darkness or other factor makes it difficult to see and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 

 • If your windshield is difficult to clear completely for whatever reason (rain, snow, condensation, inadequate wipers, etc.), then slow down. 

 • If your windshield is difficult to clear completely for whatever reason (rain, snow, condensation, inadequate wipers, etc.), and you may not have full control of your vehicle and the driving situation, then pull over safely and stop. 

 • If your tires are losing traction due to rain, snow, slush, ice, or other reason, then pull over safely and stop. 

 • If your tires are losing traction due to rain, snow, slush, ice, or other reason, then pull over safely and stop. 



There are a number of other “rules for the careful driver” that also reduce the likelihood of being cited for careless driving, and in large measure they have an important common denominator. That is, all the if-then statements presented speak to the matter of good sense, because adopting them reduces the risk of injury or death of private and public motor vehicle operators and their passengers, as well as other highway users including pedestrians and cyclists. It appears fair to say that drivers who practice such rules of the road engage in careful driving.

Conversely, however, failure to follow any of the if-then statements presented increases the risk of causing or contributing to the injury or death of private and public motor vehicle operators and their passengers, as well as other highway users including pedestrians and cyclists. It therefore appears fair to say that drivers who do not practice such rules of the road engage in careless driving, and should be charged accordingly under section 130 of the *Highway Traffic Act*.

My suggestion to drivers, therefore, is that they consciously and constantly guard against getting behind the wheel and becoming part of the careless driving pandemic in Ontario. One important step towards becoming part of the solution and not part of the problem is to adopt and implement the mindset that very few of the factors in Table 2 are good or justifiable reasons for accidents. Rather, the factors are frequently excuses for acts of driving carelessly. That said, the factors serve the very useful purposes of reminding careful drivers of the various ways that careless driving can occur, and putting them on the alert to remain careful drivers.

b. Raising the Careless Driving Bar for Law Enforcement Officials

During the days of December 14 and 15, 2009, news reports in the Ottawa area were rife with details about 80 or more separate motor vehicle accidents on December 13 and 14, including one situation involving at least 70 vehicles. In the media reports mention was made of at least a dozen of the factors listed in Table 2, but it does not appear that the phrase “careless driving” was used in association with any of the accidents. As circumstance would have it, however, several opportunities arose at which connections were made between the accidents and careless driving, and the need for stricter application of careless driving charges.

On the same Monday and Tuesday I participated in seniors’ hockey games, and one post-game function. The accidents were a heated topic of discussion. Six themes characterize the views expressed by the groups of experienced drivers:

1. When 60 or 70 or more vehicles skid, slide, or are driven into ditches, snow banks, whatever, in single-vehicle accidents in one smallish urban region over a span of several hours, some drivers and maybe many drivers were driving carelessly.
2. In any pile-up type of accident that involves from several up to a half-dozen vehicles, careless driving and likely reckless driving are involved.

3. When at least 70 vehicles are scattered along ditches on both sides, as well as helter-skelter on a 400-series road like the 416 in an extended pile-up situation, then maybe some drivers were careful, but many others must have been driving carelessly, recklessly, and even dangerously.
4. The media stories all seemed to focus on blaming the weather for the rash of accidents on both days, but this question got a lot of nods and criticisms of drivers: "How is it possible that all these people were driving carefully and ended up in accidents? Are all drivers blaming the weather?"

And, to cut to the personal aspect of careless driving as a public safety problem, two comments in particular bear repeating:

5. "What really bugs me is that I have to drive on the same roads as these idiots. It snows numerous times every winter in Ottawa, and yet there are always a bunch of accidents after each snow. These people are careless, plain and simple, but they blame the snow."
6. "I just got word that my insurance is going up, and I have never had a ticket much less caused an accident. These bozos who can't drive should be kept the hell off the roads."

The discussants were males, aged 60 and over, with a mix of careers in such domains as business, government, and education, and many, many years of driving experience among them in the Ottawa region and other parts of Canada and abroad. It is my impression that as a group they shared a critical and perhaps unforgiving point of view when it came to commenting on the rash of accidents that were receiving media attention. However, in subsequent conversations about the accidents with other area residents, it seems that people of both genders and all ages shared the general opinion that too much blame was placed on the weather and not enough on drivers.

The gist of the December 14 and 15 Ottawa media stories is not new by any means. As most adult media watchers and listeners are no doubt aware, it is frequently the case that non-driver factors are mentioned in association with accident reports in the media, and explicit mention of even the possibility of careless driving in the initial reports seems to be a relatively rare event.

However, and this is a key point when it comes to attributing causes, many people were out driving at the same time on those days and they were not involved in accidents. What was the reason for the difference in performance? Could it have been that most drivers drove carefully and did not get into accidents, and those who were in accidents were the authors of their own misfortune by driving carelessly, recklessly, or dangerously? Could all the accidents be regarded as nothing more than just some people being in the wrong place at the wrong time? Could all the

accidents just be plain bad luck? Could all the accidents....? And on it goes, year after year.

Two suggestions are offered to law enforcement officials for an immediate contribution to curtailing the careless driving pandemic in Ontario.

First, stop offering non-driver factors as the initial rationale for accidents. Rather, begin media interview or releases with the possibility that careless driving as per section 130 of the *HTA* was the cause of an accident.

Then, if it is ascertained that careless, reckless, or dangerous driving was not the primary cause, the media can be advised accordingly if there is a public interest in doing so. In this latter regard, it is clearly a matter of public safety to notify real-time media (e.g., radio, TV, online newspapers) of such situations as roads covered in ice, roads covered by 20 centimetres of snow, failed bridges, washed-out roads, downed telephone poles, rock falls, avalanches, and collapsed buildings, as well as the accidents themselves, all in the name of preventing accidents or not worsening the ones that have already occurred. That kind of message is evidently in the public interest, and within the purview of law enforcement officials to transmit.

However, when it comes to naming the weather – which is the factor that I encountered most in the news reports –, I believe that line of comment should cease immediately. Instead, I suggest, it would be far more effective for law enforcement officers to concentrate their efforts on making the following three points in the media, all of which put the onus on drivers to take full responsibility for their decisions about whether, when, where, and how to drive.

1. Emphasize that information about current, pending, near-future, and far-future weather conditions are available from various sources, including Environment Canada and The Weather Network. The repeated reminder via the media that there is little to no excuse for not becoming fully apprised of weather conditions likely to be encountered on trips could prove to be a very effective way to derail the weather excuse routine.
2. Emphasize that careful drivers check the weather before they set out on a trip, and as a result know what lies ahead. Further, and this message is so self-evident that should not need mentioning, but it even appears necessary to provide reminders for vehicle operators to check their vehicle's tires, wipers, etc., before starting a trip to ensure that the vehicles are fully roadworthy. Indeed, it could prove very useful if police spokespersons make the point via the media that by not taking precautions such as clearing a vehicle of snow, and ensuring that windows are clear, that outside mirrors are clear of ice, that tires are of proper tread and properly inflated, and that loads are properly secured, drivers are wilfully putting themselves in careless driving territory.

3. Remind people about the specifics of section 130 of the *HTA* – “Every person is guilty of the offence of driving carelessly who drives a vehicle or street car on a highway without due care and attention or without reasonable consideration for other persons using the highway....” In my experience relatively few people are aware of the specifics of section 130, and I believe that comments in the media about careless driving practices would hit home with drivers as well as with their passengers, families, co-workers, and other interested parties.

Second, I believe that the if-then list used to raise the bar for drivers is a tool-in-the-making for law enforcement if such a tool is not already available. That is, it can be safely assumed that every factor currently in Table 2, and those to be added when time permits, will be used in some way by some driver, somewhere, in an attempt to excuse his or her involvement in one or more of the kinds of accidents listed in Table 1.

Given the presumed ability of many vehicle operators to spontaneously come up with excuses for their careless driving behaviour, I believe it would behoove police officers to have a handy-dandy computerized list of such excuses. Table 3 may be a useful model for such a list. As part of the package, for each factor in the list they would also have a list of remedies that were available to the driver. With such a tool, officers would be less likely to be subjected to “snow jobs” by careless drivers, and the word would soon get out that the police are serious about raising the bar when it comes to aggressively dealing with the careless driving pandemic in Ontario.

c. Raising the Careless Driving Bar for Governments

The list of factors in Table 2 is illustrative and indicative, and it is obviously far from complete. That said, both the provincial and municipal governments have duty of care and standard of care obligations to deal with factors that are within their purview.

My first suggestion to governments, therefore, is for them to identify the motor vehicle accident factors for which they have responsibility, and to make this list available online, as well as via hardcopy. As government officials are well aware, we are part of an increasingly digital world, and by making materials available online the provincial and municipal responsibility for factors is readily accessible to many Ontario drivers, as well as to visitors coming to Ontario from other parts of Canada, the U.S., Europe, etc.

It is my expectation that access to such a list could be very instructive, because it lays the foundation for establishing who is responsible and accountable for which causal or contributory factors associated with motor vehicle accidents. At the risk of being unduly blunt, examination of media reports reveals a huge amount of denial and blaming by drivers – weather, tires, other drivers, wipers, fog, sun, etc.

Consequently, it would be very useful for the provincial and municipal governments to make clear the factors within their purview, and to describe what they do regarding the factors so that they do not cause or contribute to an offence being committed under the terms of section 130. Then, once that information is available, the picture becomes much clearer as to the extent to which drivers are responsible for accidents.

The second suggestion is based on my impression from many dozens of discussions, and research experience, that both the provincial government and municipal governments in Ontario could and should do much more of a pro-active, sustained, and high-impact nature to deal with the careless driving pandemic which is apparently afflicting every part of Ontario where people drive motor vehicles. However, I could well be wrong on that score, so my second suggestion is of an information nature.

That is, I believe it would be exceedingly informative for public policy, enforcement, judicial, educational, and numerous other reasons if the provincial government and municipal governments published monthly reports on the number of accidents (or collisions if that term is preferred) which occur within their jurisdictions, the number of careless driving charges laid by their respective police services, and the number of careless driving convictions achieved.

By way of brief explanation for those concerned about research design matters, it is recognized that there are many more careless driving incidents than can be accounted for by this approach. However, I believe that the selected variables are pertinent to any study associated with scoping, analysing, and curtailing the careless driving pandemic, with emphasis on increasing the effectiveness of law enforcement programs and activities.

Based on the premise that there is no source which provides this basic information in a timely, up-to-date manner for individual municipal police services, nor for the Ontario Provincial Police (OPP), I urge both levels of government to immediately take steps to correct this apparent, huge information gap. Then, as steps and actions are taken to close the careless driving information gap, increasingly definitive analyses can be undertaken to assess how well individual police services boards at the municipal level, and the OPP at the provincial level, are dealing with all aspects of the careless driving pandemic.

Further, and, flowing from the increased information available for such analyses, increasingly serious thought could be given to developing educational, enforcement, and other initiatives to accelerate the rate at which careless driving is curtailed throughout the province of Ontario

These two suggestions are important in terms of developing and putting in place a purposeful strategy and plan of action for effectively dealing with the careless driving pandemic. That is, as indicated above, provincial and municipal governments have

allowed the incidence of careless driving to reach pandemic proportions, and the time for corrective initiatives is long overdue.

However, knowing full well from experience that promises by governments at any level are one thing and constructive action is something else, the suggestions include a “kicker”. In brief, the integrity of government responses or proposals regarding their respective careless driving situations can be quickly measured by how effectively and efficiently the two suggestions are fully implemented.

Simply put, the suggestions involve administrative tasks which are technically easy to do. Consequently, they could be done in an expeditious manner, that is, three months at most should be all that is required to get the careless driving information system up-and-running.

If that does not happen, then I would expect that the lack of substantive action could be a basis of claims filed against entities in both levels of government for not adequately dealing with careless driving as a known public safety problem.

That said, and in view of the pandemic nature of careless driving in Ontario, and the seemingly increasing amount of public outrage about the practice, I am optimistic that the provincial and municipal governments will adopt and implement the two suggestions as initial steps to curtail Ontario’s careless driving situation.

Then, with key elements of a substantive information base in place, there will no doubt be an outpouring of suggestions about additional ways of further raising the bar in terms of how governments at both levels can better deal with careless driving as a public safety issue in Ontario.

7. How the Federation of Urban Neighbourhoods Could Help to Curtail the Careless Driving Pandemic

For the purposes of this report, the three groups or entities identified as primary players in an initiative to curtail the incidence of careless driving are:

1. Drivers.
2. Law enforcement agencies and officials (police and courts).
3. Provincial and municipal governments.

Building on the materials presented above, the suggestions about how the Federation and its member associations could support curtailing the careless driving pandemic involve several strategic initiatives to help implement the suggestions made for the three primary players.

I hasten to add before leaving this point that the media could also be considered a primary player due to its communication role. However, according to the media that level of attention is outside the scope of this project. That said, when I suggest how the Federation might promote raising the bar among the three principals, I include enlisting the media as an aider and abetter where appropriate.

a. Helping Drivers Raise the Careless Driving Bar: Initiatives by F.U.N.

The suggestion to drivers is that they consciously and constantly guard against getting behind the wheel and becoming part of the careless driving pandemic in Ontario. Towards raising the bar in that direction, it is recalled from section 6.a above that "... very few of the factors in Table 2 are reasons for accidents".

Rather, the factors are frequently excuses for careless driving. That said, the factors serve the very useful purposes of reminding careful drivers of the various ways that careless driving can occur, and putting them on the alert to remain careful drivers.

I suggest that as part of their bar-raising effort, F.U.N. member associations could provide a very valuable public service by bringing Table 2 to the attention of their local media, including the community newspapers, as a means of publicizing the careless driver initiative.

And, as perhaps the most important part of a publicizing campaign, materials in Table 2 could be used in presentations and communications to service clubs, pedestrian advisory groups, cycling clubs, parent-teacher associations, community associations, Neighbourhood Watch groups, business improvement associations, and other organizations with an interest in curtailing the careless driving pandemic in Ontario.

Further, Table 2 is an initial list which is illustrative and indicative, and there are likely other factors which members of F.U. N. associations have encountered in the media. I invite and encourage F.U.N. members, as well as readers from outside Ontario, to amend Table 2 accordingly for their locales, and to send me the new or different factors for inclusion in a master list that will be compiled in the coming months.

Finally, there are many different ways that the factors in Table 2 can be combined, including those that focus on the "reasons" which drivers most often use to attempt to explain or rationalize their accidents. It is my expectation that displays of multiple of lists of factors in public venues could go a long way towards persuading drivers to take full responsibility for their actions behind the wheel, and to drive carefully rather than carelessly. In my experience it is best if drivers themselves take responsibility for raising the driver behaviour bar, and this could be an excellent way for F.U. N. and its members to help with the heavy lifting.

b. Helping Law Enforcement Officials Raise the Careless Driving Bar: Initiatives by F.U.N.

It is my impression that both the Ontario Provincial Police (OPP) and municipal police services boards would welcome the support of the Federation of Urban Neighbourhoods in a province-wide campaign to curtail the careless driving pandemic. I appreciate that there may be F.U.N. associations which are already working closely with law enforcement agencies, and as a result they may be able to improve on my suggestions.

First, I believe that it would be very productive for F.U.N. to call this report to the attention of OPP Commissioner Fantino, and request that the OPP implement the suggestions in part 6.b. Further, I suggest that the communication ask Mr. Fantino to disseminate this report to OPP detachments, and that he be invited to provide advice to F.U.N. as to how its members could assist the OPP in its efforts to curtail the pandemic of careless driving in Ontario.

Second, I believe that the report should also be sent to the police services boards of the Federation's member associations, and that they should also be asked to implement the suggestions contained in part 6.b.

The communication should contain a request that the Federation or area association linked to the Federation be informed about decisions regarding the suggestions, so that a master statement can be prepared about the disposition of the suggestions in different municipal jurisdictions.

The third suggestion has been the subject of considerable coverage in the media, and it involves the handling of careless driving charges by crown attorneys, judges, justices of the peace, and whoever else represents the public interest.

Based on media materials, it appears fair to say that many members of the public are irritated, frustrated, and angry about what often appears to be the "slap on the wrist" treatment of careless drivers. Unfortunately, I have no personal or professional experience with how careless driving charges are processed, and I have not been able to find documentation that I can use to suggest how F.U.N. could support raising the bar in prosecuting, sentencing, rehabilitating, and other aspects of dealing with persons charged for driving carelessly.

As a result, my suggestion and request is that F.U.N. associations inquire among their members for individuals who have expertise and experience with how careless driving charges are processed. I would greatly appreciate an opportunity to run some ideas past these knowledgeable individuals before committing them to paper.

I hasten to add here that I also welcome an opportunity to exchange views with qualified readers who are not affiliated with a F.U.N. association.

c. Helping Governments Raise the Careless Driving Bar: Initiatives by F.U.N.

The first initiative that I propose is for the Federation and its member associations to inform provincial and municipal politicians about the existence of this report.

I suggest that for the reason of accountability, the president of F.U.N. write directly to Premier McGuinty and to the leaders of the other parties informing them of the report, as well as to the Minister of Transportation, and to the Minister of Community Safety and Correctional Services. And, also for the reason of accountability, I suggest that member associations write similar letters to their respective councils.

I believe it is important for reasons related to the value and validity of the report to include a request that any factual errors, or any points of disagreement, be brought to my attention at the earliest moment. This is best done if the communications are sent directly to me at wellarb@uottawa.ca so that I can respond in an expeditious manner.

For the second initiative, I am aware that the Ministry of Transportation (MTO) has placed a number of documents online that deal with various aspects of safe driving and careful driving.

However, it is my reading of the materials that they could be more explicit and more directive in terms of laying out clearly and concisely the accident factors that are the responsibility of the provincial government. I recommend that a letter be sent by the president of the Federation to the Minister of Transportation, and to the Minister of Community Safety and Correctional Services, requesting that such a document be posted on the websites of both ministries.

And, to continue in that vein, I further recommend that association members contact their municipal councils, and request that the accident factors within the purview of the respective municipalities be posted on their websites.

Finally, it is stated in **6c** that "...I believe it would be exceedingly informative for public policy, enforcement, judicial, educational, and numerous other reasons if the provincial government and municipal governments published monthly reports on the number of accidents that occur within their jurisdictions, the number of careless driving charges laid by their respective police services, and the number of careless driving convictions achieved."

I suggest in this case that the provincial letter be sent by the Federation president to the Minister of Community Safety and Correctional Services, and copied to the Premier and the Minister of Transportation. And, at the municipal level, I believe it is appropriate for association members of the Federation to send their letters to their respective councils for action.

As a closing note to this section, I recommend that all correspondence originated by F.U.N. and association representatives be transmitted electronically in the interests of time, cost, and effective communications among various parties.

And, for those same reasons, I recommend that the correspondence include a specific request that responses from government officials are also transmitted electronically.

8. Conclusion

Based on literature reviews and numerous discussions with motor vehicle operators, pedestrians, and cyclists, it appears that the majority, indeed the vast majority of crashes, collisions, and related motor vehicle incidents occur because of careless driving practices.

And, it further appears that in the majority of cases, indeed in the vast majority of cases, drivers who blame the sun, the darkness, the weather, the roads, their vehicles, and whatever other external factors come to mind, are choosing to engage in excuse-making rather than admitting to having committed an act of driving carelessly, and negatively affecting public safety.

As a result of the large volume of careless driving incidents, and their occurrence throughout the province, the term *pandemic* is used to describe the careless driving situation in Ontario. It could be, of course, that the term *pandemic* overstates the careless driving situation, and that is something which can be analytically ascertained when the data requests in the report are satisfied in the manner requested.

With regard to the matters of resolution and action, the severity and the longstanding nature of the situation make it clear that if change for the better is to be achieved then better performance is required from each of the three principals – drivers, law enforcement agencies, and governments – that have primary responsibility for curtailing the pandemic. Or, to re-phrase, two out of three may win in lots of situations, but not in this one: Three for three is required.

As for the theme of raising the bar to curtail the pandemic of careless driving, it is chosen advisedly.

That is, the careless driving pandemic is in serious need of correction. By challenging drivers, law enforcement agencies, and governments to raise their respective bars in regard to acceptable driving behaviour, public safety issues such as those related to responsibility, accountability, and liability are put explicitly on the public safety agenda.

Then, depending on what the principals do with the suggestions made in this report, consideration could be given to a second round of suggestions.

Finally, it is clear from record to date that each of the principals – drivers, law enforcement agencies, and governments – will need to be publicly and vigorously encouraged to get on with the job of curtailing the careless driving pandemic effectively, efficiently, and expeditiously before more people are injured or killed.

I believe that the media and the Federation of Urban Neighbourhoods have major roles to play in encouraging each of the principals to increase public safety by taking whatever steps are necessary to significantly curtail careless driving practices across the province. Lives are at risk.

9. References

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APPENDIX 1

Graphics that Prompt the Question:

Was Careless Driving a Factor in this Accident?

This report puts careless driving front-and-centre as a possible cause or contributor to motor vehicle “accidents”.

The next several pages contain photographs or other depictions of motor vehicles in accidents, collisions, crashes, or other kinds of situations that are referred to as “bad motor vehicle events”.

In these kinds of events the motor vehicle is not where it is supposed to be (on a road, in a parking space, between the white lines, etc.), and/or it is not doing what it is supposed to do (transport people and goods between Point A and Point B), and/or it is not performing or being driven in the prescribed ways that are set forth in the Criminal Code of Canada, the Highway Traffic Act of Ontario, municipal by-laws, or other official regulations.

The intent of the graphics in Appendix 1 is to serve as a basis for furthering the idea that more consideration needs to be given by drivers, law enforcement agencies, governments, citizens, and the media to the possibility that careless driving could be more of a factor in bad motor vehicle events than is generally considered or stated to be the case in media stories. There are various ways to test this idea, but the following simple approach is sufficient for the purposes of this report.

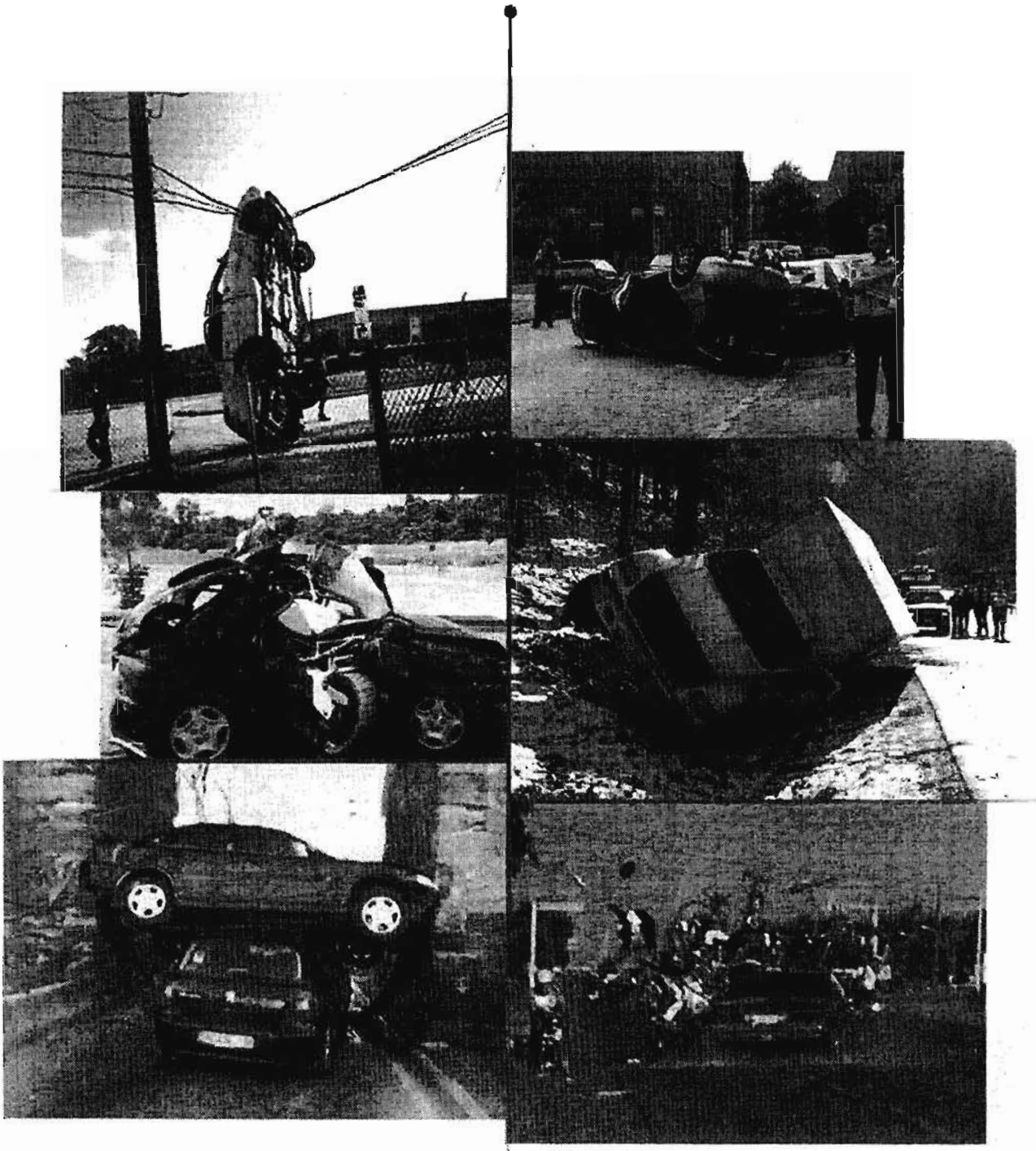
Readers are asked to pose this question before looking at any of the graphics:

“Could this accident be the result of careless driving?”

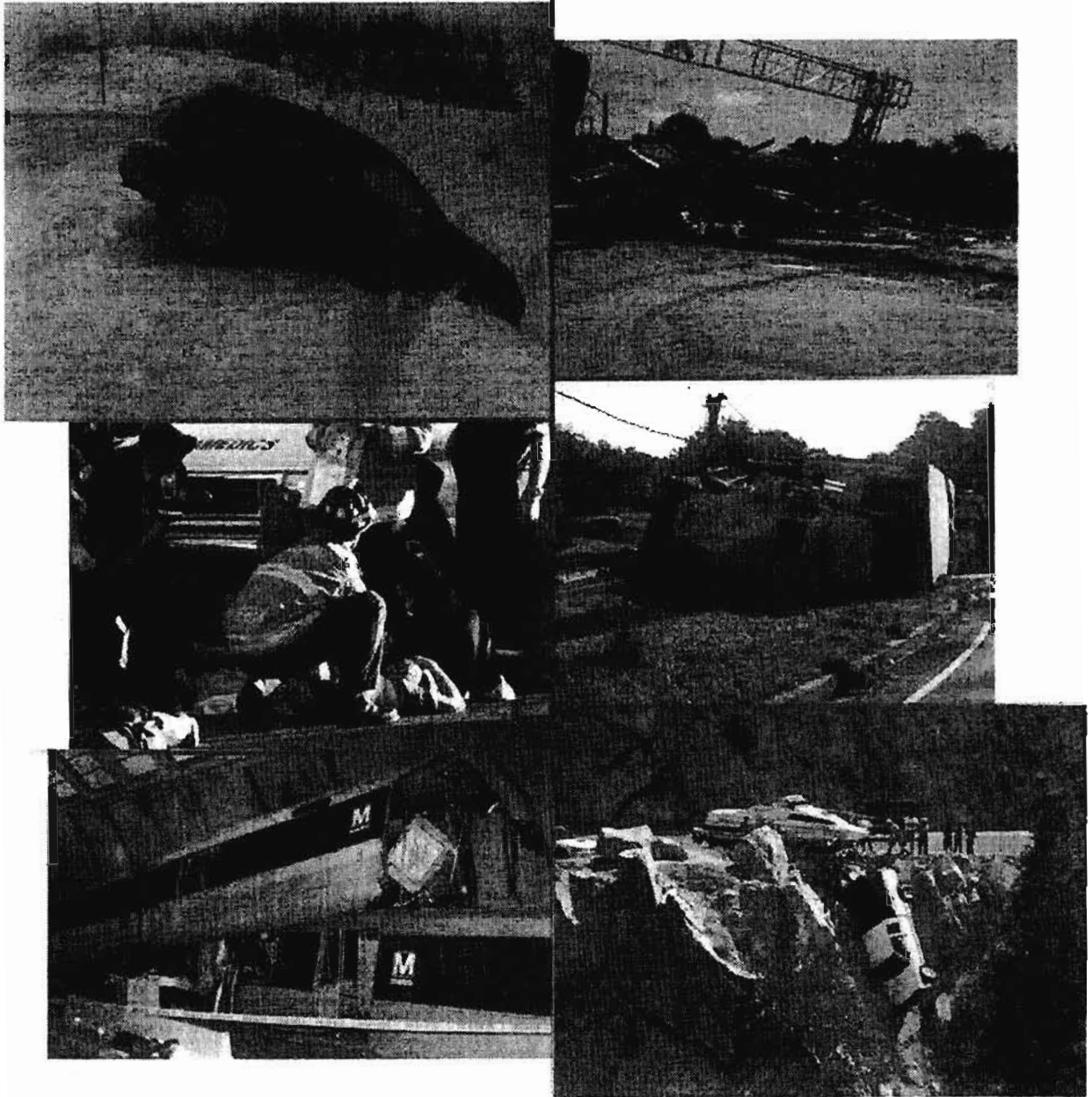
If it turns out that readers are comfortable, or become increasingly comfortable with asking this question, then I think that we are on track to making careless driving a “front runner” when it comes to naming the possible causes and contributors to crashes, collisions, and other kinds of bad motor vehicle events listed in Table 1. On the other hand, however, if asking that question does not become automatic for readers viewing an accident scene, then it will be necessary to go back to the drawing board.

I look forward to receiving feedback from readers on this matter. Please send comments to wellarb@uottawa.ca.

NOTE: Thanks are given to Sam Herold for assembling the motor vehicle accident graphics.









方卓怡 市議員 **Paula FLETCHER**

Councillor Toronto-Danforth Ward 30

Tuesday February 8, 2010

Gary Welsh, General Manager
Transportation Services
City of Toronto

Dear Mr. Welsh

Re: Inservice Road Safety Audit and Pedestrian Count

Recently there was a tragic death of a pedestrian at the Danforth and Broadview intersection. The man was a student at City Adult Learning Centre, who was crossing Broadview Avenue after his class at CALC.

Broadview and Danforth is an irregularly shaped, very busy intersection.

CALC sits slightly to the west of the intersection at 1 Danforth and is attended by 2,500 students, most of whom come to school via the Broadview TTC station. There is also a daycare on site.

The Broadview TTC Station is slightly to the north of the north east corner of the intersection. Besides being a Bloor Danforth line subway stop, the station also houses street cars and buses going north and south of the Danforth. Many, many Riverdalians walk to the Broadview subway and cross busy Danforth Ave to take the TTC.

On the northwest corner of the intersection there is a TCHC senior's building. Sitting directly on the south west corner there is popular Pizza Pizza. As you can see from my description this is a very busy intersection.

On the Monday following his death, my staff met with the vice principal of CALC and officers from 55 Division as well as city transportation staff. The purpose of the meeting was to determine what support TPS could give to students for their crossing over the entrance to the Don Valley parkway from of the Viaduct.

As well last week, Mr. Scott Torrance, a concerned local business owner, who was very much upset by the fatality met with me in my office along with Mr. Dylan Reid of the Pedestrian Committee and Elyse Parker from your Public Realm Unit. Mr Torrance brought a photo of the intersection which I am enclosing for you.



City Hall, 100 Queen St. West, Suite C44, Toronto, ON..M5H2N2
Telephone: (416) 392-4060 Fax: (416) 397-5200 email: councillor_fletcher@toronto.ca

Mr. Torrance had a number of suggestions regarding upgrading this irregular shaped corner for pedestrian safety - zebra crossings, no right turn on red, widening the corner itself to ensure enhanced sight lines, as well as a possible pedestrian scramble.

Prior to requesting implementation of any of these options I would like to request your department undertake an inservice road safety audit, as well as pedestrian count.

Currently traffic-related issues are being addressed at the Bridgepoint Hospital redevelopment. I have been speaking to staff include Broadview Avenue in the road safety audit as part of the traffic decision-making process.

I would very much like to meet with you about this and will ask Angela Mammone of my office to set this up with your staff.

Thank you very much for your consideration of this matter.

cc:

Jacqueline White, Transportation Services

Elyse Parker, Public Realm Office

Fiona Chapman, Pedestrian Co-ordinator

Peter Noehammer, Transportation Services

Dylan Reid, Spacing

Scott Torrance

Danforth by the Valley BIA

BIA office, City of Toronto

Keiko Nakamura TCHC

Mae Lee, office of Mayor Miller

Sam Fernandes, Superintendent 55 Division

Andrew Cruickshank, vice principal CALC

Joan Taylor