



**Personal Injury**

# Province's new charges largely ignore vulnerable road users

By Kirsten McMahon, Associate Editor



While it's promising that the Ontario government introduced tougher penalties for endangering pedestrians, more needs to be done to protect vulnerable road users, Windsor personal injury lawyer [Gino Paciocco](#) tells [AdvocateDaily.com](#).

three demerit points.

The province announced that drivers who fail to yield to pedestrians at crossovers, school crossings and crosswalks will be fined \$1,000 and earn four demerit points, CBC News [reports](#). Previously, the fine was \$500 and

"The number of pedestrians being injured and killed on our roads has reached a critical level," Minister of Transportation John Yakabuski said in a statement. "Tougher penalties help, but we need everyone to step up and do their part by driving safely and responsibly."

According to Toronto police data, there were 151 vehicle collisions where a pedestrian was killed or seriously injured on city streets in 2017, the article states.

Paciocco, a founding partner with [Paciocco & Mellow](#), says while it's encouraging to see tougher penalties for endangering pedestrians, the increased fines for an injury to a pedestrian are only for drivers who fail to yield to pedestrians at crossovers, school crossings and crosswalks.

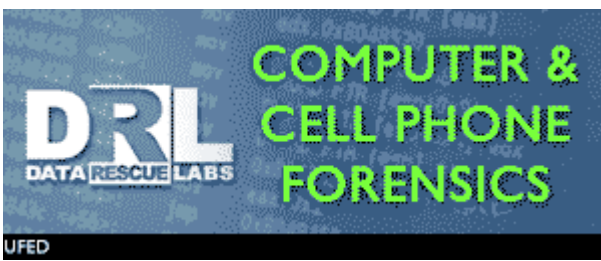
"If a pedestrian is injured on the side of a road, careless driving charges may apply, but there is no special penalty," he notes. "Drivers should be mindful of pedestrians at all times and at every intersection, not just crosswalks. In my view, injuring a pedestrian should be an additional fine at all times — not just at crosswalks."

He says the province's new charges for careless or dangerous driving also appear to have completely ignored an entire group of road users — cyclists.

"There is no additional penalty for striking a cyclist while they are crossing an intersection — the most common place cyclist-motor vehicle accidents occur," Paciocco says. "In addition, the penalty for not leaving a minimum one-metre passing distance remains dismally low at a \$110 fine and two demerit points.

"Hitting a cyclist with a car door remains a \$365 fine and three demerit points. When comparing these penalties to a \$1,000 fine and four demerit points for hitting a pedestrian at a crosswalk, the cycling fines seem inadequate," he adds.

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