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Long Weekend Traffic Enforcement - Common Charges

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Every long weekend there is a large influx of drivers on the road. As more people are on the road, safety is the number one priority of police services throughout Ontario. As such, it is quite common for the police to conduct what is known as traffic blitzes. These traffic blitzes help ensure there is road safety and that people arrive safe to their destination of choice. However, while these blitzes usually help make our roads safer, charges are not always appropriate, nor are they always laid properly.

Whether you are in favour of the blitzes or opposed to them, there is no dispute that they result in a massive number of tickets for violations of the *Highway Traffic Act*. In fact, on Victoria Day in 2018, the Ontario Provincial Police, not including municipal police forces like Durham Regional Police, handed out over 11,000 tickets under the *Act*. That's one every eight seconds!

Some common charges that erupt from a long-weekend traffic blitz are:

Disobey Stop Sign

Rolling a stop sign has many penalties attached to it and is very common when people are feeling rushed. It is important to come to a full and complete stop at the marked stop line or, if there is no line, then immediately before entering the nearest crosswalk or, if there is no crosswalk, then immediately before entering the intersection; and yield the right of way to traffic or pedestrians in the intersection. However, just to keep drivers guessing, the *Highway Traffic Act* does not specify how long the stop must be, only that the stop must be full and complete. Finally, a fine attached to this offence is between \$200-\$1000 and 3 demerit points upon conviction. If you want to help ensure a fun-filled weekend, take the extra second to come to a full stop.



Distracted Driving

Ontario's new distracted driving laws apply to the use of hand-held communication, entertainment devices and certain display screens. With so many legislative changes, newspaper articles, and armchair legal professionals, the law around distracted driving has become unclear for many. Simply put, these restricted devices or screens include smart watches, cellphones, tablets, PSP Vita, Nintendo 3DS, laptop, GPS or any other entertainment devices. If convicted on your first offence, you can face a fine of up to \$1,000, 3 demerit points, and a 3-day licence suspension. That said, you are still allowed to use a hands-free device to make a phone call, or a GPS display screen, as long as they are securely mounted on the dashboard or built into the vehicle's dashboard. Finally, distracted driving charges may have a significant impact on your insurance and licence upon conviction.



Driving without a Seatbelt

The law requires you and all passengers in a car to wear a seatbelt properly and securely fastened while traveling. The driver of the car is responsible for all passengers that are under the age of 16. Although vehicles are safer than ever before, it is still very important, and required by law, to wear a seatbelt no matter how long or short a trip in the car might be. Seatbelt fines can range between \$200- \$1,000 and 2 demerit points upon conviction.



Speeding

One of the most common traffic offences in Ontario is for drivers exceeding speed limits. Depending on the rate of speed, it can be a costly fine and can even lead to a charge of Stunt Driving if you have exceeded the speed limit by 50km/h.

Many factors of this fine depend on if you were pulled over in a community safe zone, a construction zone, and how fast you were driving. Depending on your rate of speed, you may receive demerit points in addition to fines. As well, if you are stopped for driving 50km/h over the limit you will have your licence suspended on the spot and vehicle impounded for 7 days.



These are just a few of the common charges during a long weekend traffic blitz. Have you received a ticket for any of these offences? Call and talk to one of our skilled paralegals at Cochrane Moore LLP today to see if we can help you through this matter!

While this provides a brief overview, the law can be very complex, and many aspects are case specific. If you have an issue, call a paralegal at Cochrane Moore LLP in Oshawa for a free consultation.

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