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Letter re: stricter stunt driving penalties

OUR READERS WRITE

I read with interest Paula Brown's article about ?stricter penalties' for stunt driving(July 8, 2021)

While it accurately describes increases in license suspension and impoundment periods due to new legislation, there are other aspects of stunting that need to be examined.

First, the term ?stunt' refers to a number of reckless driving practices, the best known being stunt speeding. Until recently this was defined as speeding in excess of 50 kilometres per hour above the posted speed limit.

In other words, if one was caught speeding 130 kilometres per hour or more in a posted 80 kilometres per hour zone, the resulting charge would be stunt driving. This would result in a 7-day license suspension along with a 7 day impoundment.

The new penalty is a 30-day suspension and a 14 day impoundment. The other change is to treat stunt driving in areas post for less than 80 kilometres per hour differently with the threshold for a charge becoming in excess of 40 kilometres per hour.

The government's rationale for this is these are ?municipal' roads, totally ignoring the reality of ?municipal' roads all over Ontario posted at 80 kilometres per hour. Much of our County road system is posted at 80 kilometres per hour as are many Regional and local roads.

The government thereby created a double standard that begs several questions.

First, there is absolutely no evidence that stunt speeding occurs more often on municipal roads where the speed limit is less than80 kilometres per hour.

None and in fact the evidence is to the contrary. Almost every day OPP social media features horror stories about people caught stunt speeding on provincial highways where the limit is 100 kilometres per hour.

The Dufferin OPP laid 241 stunt speeding charges in 2019. Last year that number increased by 40% to 338. We are now well on our way to equal or exceed that number of charges this year.

And where are these charges being laid here in Dufferin? Probably 95% of them on County roads and Provincial highways where the limit is 80 kilometres per hour.

Second, the consequences of being charged for stunt speeding are huge. Licence suspension, vehicle impoundment not to mention what the insurance company will do to you upon conviction. The cost of all of this, not to mention what you will pay a lawyer or paralegal to represent you in court, is in the multiple thousands of dollars.

But how about the actual fine for stunt speeding? Wouldn't you think it would be increased, at least for repeat offenders?

It wasn't.

This fine remains at between $2,000 and $10,000 as does the number of demerit points and possible jail time. Moreover, the monetary and custodial penalties are at the discretion of courts as they should be.

That fines for stunt speeding being untouched is consistent with the Province's refusal to increase many highway traffic fines including fines for speeding under 50 kilometres per hour.

Speeding fines have remained the same for as long as anyone can remember, going on now for 30 years. Demands for an increase are either met with silence or verbal log rolling from the Province to the effect that ?everything is under review'.

Sadly it does not end there. A double standard also applies to whether municipalities can apply the tool of Automatic Speed Enforcement (ASE) i.e. speed photo radar to their municipal roads where the speed limit is 80 kilometres per hour.

Police can't be everywhere; we can neither afford it or expect them to apprehend every speeder. The Province now allows municipal use of ASE but only in Community Safety or School Zones and where the posted limit is less than 80 kilometres per hour. Sound familiar?

Short of reducing 80 kilometres per hour zones to 79 kilometres per hour and declaring problem areas Community Safety Zones which would make a mockery of the concept, an important tool at our disposal to identify and fine egregious speeders remains out of reach.

Could it be the Province doesn't want Automatic Speed Enforcement or tougher stunting rules to apply on Provincial Highways where the majority of stunt offences are occurring?

All the fanfare and ballyhoo about road safety and getting tough on stunt speeders means nothing once we realize fines aren't going up, a 40 kilometres per hour plus standard for stunting does not apply on rural municipal roads posted at 80 kilometres per hour and Automatic Speed Enforcement can't be realistically employed.

And I'm not even going to delve into complete collapse of Provincial Offence revenues that in no way come close to offsetting rising court and policing costs. That's for another day.

The Province needs to go back the drawing board and rethink what is a major road safety problem, especially in rural Ontario.

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