

**Ministry of
Transportation**

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FEB 29 2008



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FEB 25 2008

His Worship Fred Eisenberger
Mayor
City of Hamilton
Hamilton City Centre
77 James Street North, Suite 230
Hamilton, Ontario
L8R 2K3

Dear Mayor Eisenberger:

Thank you for your letter regarding Hamilton City Council's Resolution about creating pedestrian friendly environments. I commend your city for its efforts to improve its citizens' overall health citizens by encouraging greater physical activity.

My ministry takes pedestrian safety very seriously and is committed to building upon our record as a leader in keeping our communities and families safe. The *Highway Traffic Act* enhances pedestrian safety on Ontario roadways by applying fines and demerit points for driver offences at pedestrian crossovers and school crossings.

Under the current legislation, whenever pedestrians cross a roadway, there is a dual responsibility for safety that is shared among pedestrians and drivers. This approach does not assign strict right-of-way for either road user and requires the driver to be in control of their vehicle and to yield to pedestrians. More importantly, it requires the pedestrian to enter the road when it is safe to do so – when they have made eye contact with the driver to ensure they are seen and the driver is able to stop. With exclusive right-of-way, a pedestrian could enter a roadway without consideration for traffic, placing them at serious risk.

Ontario's roads are among North America's safest and education campaigns continue to be a cornerstone of our road safety record. I encourage city staff to meet with ministry staff to discuss this further. The manager of the Traffic Office, Gord Troughton, can be reached in St. Catharines at (905) 704-2940 to arrange a suitable meeting time and location.

Again, thank you for bringing your city's resolution to my attention and please accept my best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bradley', with a stylized flourish at the end.

Jim Bradley
Minister