

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO  
66 ELIZABETH II, 2017

# Bill 171

**An Act to amend the Highway Traffic Act to prohibit pedestrians from  
holding and using certain mobile devices while crossing a roadway**

**Mr. Y. Baker**

**Private Member's Bill**

1st Reading      October 30, 2017

2nd Reading

3rd Reading

Royal Assent



**An Act to amend the Highway Traffic Act to prohibit pedestrians  
from holding and using certain mobile devices while crossing a roadway**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 The *Highway Traffic Act* is amended by adding the following section:**

**Annual Awareness Campaign**

**1.3** The Ministry shall conduct an annual campaign to raise awareness of the dangers of distracted driving, with an emphasis on texting and driving.

**2 (1) Section 144 of the Act is amended by adding the following subsections:**

**Pedestrian — devices**

(22.1) Subject to section 144.1, no pedestrian shall cross a roadway while holding and using a wireless communication device, electronic entertainment device or other prescribed device unless the pedestrian is using the device,

- (a) to contact ambulance, police or fire department emergency services; or
- (b) to continue a phone call the pedestrian began before crossing the roadway.

**Offence — devices**

(31.4) Every person who contravenes subsection (22.1) is guilty of an offence and on conviction is liable,

- (a) for a first offence, to a fine of \$50;
- (b) for a second offence, to a fine of \$75; and
- (c) for each subsequent offence, to a fine of \$125.

**(2) Subsection 144 (32) of the Act is amended by adding the following clause:**

(d.1) prescribing devices pedestrians shall not hold and use while crossing a roadway;

**3 The Act is amended by adding the following section:**

**Municipal opt out**

**144.1** The council of a municipality may by by-law opt out of subsection 144 (22.1).

**Commencement**

**4 This Act comes into force three months after the day it receives Royal Assent.**

**Short title**

**5 The short title of this Act is the *Phones Down, Heads Up Act, 2017*.**

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EXPLANATORY NOTE

The Bill amends the *Highway Traffic Act* to prohibit pedestrians from holding and using certain mobile devices while crossing a roadway, subject to certain exceptions. The Bill also requires that the Ministry of Transportation conduct an annual campaign to raise awareness of the dangers of distracted driving, with an emphasis on texting and driving.