

Safe Texting Zones Act, 2016

EXPLANATORY NOTE

The Bill amends the *Highway Traffic Act* to authorize the Minister of Transportation to designate any part of the King's Highway as a texting zone. A texting zone is an area where a driver is able to park or stop safely to use a hand-held wireless communication device.

The Bill also amends the *Public Transportation and Highway Improvement Act* to authorize the Lieutenant Governor in Council to designate a commuter parking lot or transit station or rest, service or other area as a texting zone and to require that signs be displayed at or approaching the texting zone.

An Act governing the designation and use of texting zones

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:

Highways designated for texting zones

151.1 (1) The Minister may by regulation designate any part of the King's Highway where the shoulder of the highway may be used as a texting zone.

Texting zone

(2) A texting zone is an area where a driver of a motor vehicle is able to park or stop safely for the purpose of using a hand-held wireless communication device or a device that is prescribed for the purposes of subsection 78.1 (1).

Same

- (3) The Minister may make regulations,
- (a) regulating the use of texting zones and prescribing conditions and circumstances for that use, including prescribing rules governing the use of signals and four way flashers, exemptions from any requirement of this Part or in a regulation made under this Part applicable to the use of texting zones and conditions and circumstances for such exemptions;
 - (b) providing for the erection of signs and the placing of markings,
 - (i) on any highway approaching any part of a highway designated as having a shoulder that may be used as a texting zone, and
 - (ii) on any part of a highway designated as having a shoulder that may be used as a texting zone;

- (c) prescribing the types of the signs and markings referred to in clause (b), instructions to be contained on them and the location of each type of sign and marking.

When designation is in effect

(4) No designation made under this section becomes effective until signs are erected in accordance with this section on and approaching the designated part of the highway.

Non-authorized use of texting zone

(5) No person shall drive, park, stand or stop a vehicle in any part of a texting zone except in accordance with this section and a regulation made under it.

Act, regulations otherwise apply

(6) Except as otherwise provided in a regulation made under this section, the provisions of this Act and its regulations applicable to vehicles apply with necessary modifications to the operation of a vehicle in a texting zone.

Texting zone deemed not part of roadway

(7) A texting zone on any part of a highway is deemed not to be part of the roadway within the meaning of the definition of “roadway” in subsection 1 (1) or part of the pavement for the purposes of clause 150 (1) (b).

2. Section 26 of the *Public Transportation and Highway Improvement Act* is amended by adding the following subsections:

Texting zones

(3.1) The Lieutenant Governor in Council may make regulations designating a commuter parking lot or transit station or rest, service or other area constructed, maintained or operated under subsection (1) as a texting zone and may require that signs be displayed at or approaching the place designated as a texting zone.

Interpretation

(3.2) For the purposes of subsection (3.1), a texting zone is an area where a driver of a motor vehicle is able to park or stop safely for the purpose of using a hand-held wireless communication device or a device that is prescribed for the purposes of subsection 78.1 (1) of the *Highway Traffic Act*.

Commencement

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Safe Texting Zones Act, 2016*.