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Jean-Michel Blais  
Chief of Police/Directeur de police

# Memorandum

Date: December 10, 2014

To: J.M. Blais, Chief of Police

From: Cliff Falkenham, Superintendent, West Division

Re: Updated-Proposal for Crosswalk Enforcement Unit submitted by Norm Collins

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I was asked by Chief J.M. Blais for any comments I had in relation to the proposal from Norm Collins, Crosswalk Safety Advocate, to form a dedicated Crosswalk Enforcement Unit. I have updated my comments based on Mr. Collins' latest presentation on December 8, 2014 to the Board of Police Commissioners. Mr. Collins made several changes to his proposal.

## Conclusion

After reviewing HRM fatalities since 2009, and reading other research, I would not, at this point, support a dedicated Crosswalk Enforcement Unit (CEU).

Most of the research I have reviewed does not identify enforcement as the key solution to pedestrian-vehicle collisions. Education and engineering are the keys to long term solutions and will take time. Currently, we do not have the comparison to other urban areas to determine where HRM fits in compared to other municipalities in relation to pedestrian-vehicle collisions. This information is forthcoming and should allow us to put the issue in context. Mr. Collins notes an increase in pedestrian-vehicle collisions from 2013 to 2014, but is not aware the number of pedestrian-collisions we had in 2012 was higher than 2013. This information for 2012 has not yet been released to the public. Our 2014 total numbers are higher than the 2012 total numbers.

Speeding, impaired driving, and now texting are responsible for more fatalities than pedestrian accidents in HRM and may also be factors in pedestrian fatalities. There have been national campaigns on speeding and impaired driving, and now texting as these actions have been responsible for the bulk of traffic fatalities in Canada and HRM in the last few years and these actions continue to be the lead cause of traffic fatalities in Canada.

Although I respect Mr. Collins passion for crosswalk safety, the need would be equal if not higher for dedicated units for enforcement of speeding, impaired driving, and texting than crosswalks (although comparing traffic fatalities is not comfortable as each one is tragic, especially for the families).

Mr. Collins' estimates for revenue are in my opinion is still overestimated and his estimates for expenses are still underestimated even with his updated proposal. His proposal lacks background information to explain how this unit can deliver 16 SOTs and setting a quota for revenue is not our mandate for traffic enforcement, safety is.

Currently we are engaged in a balanced approach reacting to citizen concerns and data to attempt to provide traffic safety, driven by safety concerns, not revenue

generation. Crosswalks are part of this approach along with the other major causes of accidents including fatalities, texting, impaired driving, and speeding. I support continuing this balanced approach to traffic safety. We have increased our efforts for crosswalk enforcement and education and will continue this in 2015.

### **Comments and Background**

After reviewing the proposal for a Crosswalk Enforcement Unit submitted by Norm Collins I have submitted the following comments:

In relation to the number of pedestrian-vehicle collisions, I just recently received the 2012 data for vehicle-pedestrians collisions, and although this data has not yet been released to the public, due to other more pressing matters for the analyst, the number for 2012 is 208. The analyst has not yet been able to duplicate the 2013 report with mapping and comments to ensure we are releasing the data in the same format, but the total for 2012 is higher than 2013 which was 176. The 2014 number of 223 at this point is higher than 2012 total.

There has also been a change in the manner in which we capture the data since 2012. Currently, Halifax Regional Police have adopted a policy of reporting all vehicle-pedestrian collisions and reporting them to the public and media on a monthly basis. In prior years, we followed the guidelines in the NS Motor Vehicle Act, where an accident report is required in any case where a collision results in injury or death to a person or damage to property. With the media attention and our promise to report all collisions, not just collisions which are reportable accidents, we have increased the number of reports.

In the past, an incident where a pedestrian was bumped by a car mirror or other part of a vehicle and there was no injury or damage to the vehicle, a 58A Motor Vehicle Report would not have been submitted. This year will provide the baseline for the future and assuming we continue to report all collisions, we will have comparable data. I am not sure why we needed to report collisions which do not meet the NS Motor Vehicle Accident reporting criteria, and I question whether other jurisdictions report this way.

HRM Traffic Services is currently working on a report which will include comparing pedestrian-vehicle collisions in HRM to other municipalities and the preliminary information is HRM is lower than other areas.

HRM (2009-2014) has had 86 fatalities reported, with 16 being pedestrians from 2009 until today. Without discounting the tragedy of these 12 incidents, we do need to recognize we had 70 other fatalities related to motor vehicle accidents in HRM since 2009. After reviewing 86 of the accidents and in discussing this with our Traffic Analysts clearly distracted driving, speed, and impaired driving are factors in far more fatalities (70) than the 16 pedestrian accidents. Speed, distracted driving, and impaired driving may play a part in pedestrian accidents also.

In my experience as a Division Commander in all three divisions for 12 of the last 20 years, speeding has been the number one traffic concern raised by the public. Even with the current media emphasis on crosswalk safety and collisions, speeding still far exceeds any other traffic complaints including crosswalks.

The most recent data released I have seen for Canada identifies distracted driving, impaired driving, and speeding as the major factors for traffic deaths. The number of persons killed in pedestrian collisions still is well below the number of persons killed in multiple vehicle or single vehicle collisions. I do not care for comparing reasons for fatalities to each other as every fatality in any motor vehicle accident is a tragedy especially for the victim's family, but if we are going to compare, in HRM, speeding,

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impaired driving, and distracted driving are still the major cause in the majority of fatalities.

I think our balanced approach is the best way to deal with the main issues identified for traffic fatalities in HRM. The 2014 Metro newspaper City Matters survey of HRM residents printed November 24, 2014, the survey identifies five top traffic problems for HRM as being in the following order: texting (8.4), pedestrians (7.3), speeding (6.7), drinking (6.7), and tailgating (6.7).

In relation to HRP enforcement of crosswalks, we have in the past carried out checks at many crosswalks based on some programming and citizen concerns. In most cases, few tickets have been issued as violations for crosswalk are not nearly as common as speeding or cell phone violations. For example, despite one citizen insisting there were flagrant violations in the mornings at Dutch Village Rd and Central Ave weekday mornings, I monitored the crosswalk from 0800-0900 on Nov 13, 2013 and observed 22 crossings with not one violation. Special checks done by the CRO and Traffic members several times over a year did result in 3 SOTs. In one case, the driver contested it in court and was found not guilty because the adjudicator felt the telephone pole, mailbox, etc. made it impossible for the driver to see the pedestrian. These concerns were sent to HRM Traffic Services. The Traffic Unit in November, 2014 checked for cell phone violations and issued 30 violations in an hour and had to stop pulling over vehicles due to the lack of officers to issue tickets.

The recent traffic theme for the month of November, 2014 was crosswalk safety. I reviewed the activity added to the GO# and there are 115 entries. Some of these entries involve checking more than one crosswalk in a day. Traffic and patrol members checked over 115 crosswalks for violations during the month and as a result we issued 48 tickets for crosswalk violations. This was a concentrated effort and still did not yield the number of tickets Mr. Collins submits can be issued every day. Despite all these checks and enforcement effort, the number of collisions, which based on Mr. Collins theory should have been reduced, in fact went up.

## **Crosswalk Enforcement Unit Proposal**

### **Expenses**

In relation to expenses, the numbers submitted in this proposal are not accurate. Currently, a police Constable costs \$107,600 with benefits. For six officers, the cost would be \$645,600.

There are a number of other expenses not accounted for in this proposal. Costs for police court time, vehicles, radios, uniforms, and other equipment are not included. A fully equipped police vehicle is \$60,000.

Even with Mr. Collins' revised estimate, the \$700,000 would not cover the expenses for six officers. The \$700,000 may cover the cost for four officers, but depending on equipment costs, vehicles, and court time this cost may exceed \$700,000.

### **Revenues**

The revenue projections in this proposal are not accurate and I would be surprised if the unit would in fact generate a surplus. After examining this proposal, I cannot find the background information for statement of the assumption of 16 SOTS a day for the unit. It is based on input of "others". I do not know who the others are. Our Traffic Unit was able to issue 9 tickets for crosswalk violations in one day this month as part of the monthly theme and on another day in three locations issued 3 tickets over an hour and a half. The

proposal also makes assumptions about what sections tickets will be issued for? I do not know where the information to support this comes from and to set a quota and set expectations for revenue is contrary to our goal to enhance traffic safety through data driven enforcement.

The data for pedestrian-vehicle collisions clearly identifies drivers failing to yield to pedestrians in crosswalks as the main cause of collisions with pedestrians and if you were using enforcement to try and reduce these types of collisions, based on the data, this would be the focus. Mr. Collins discussed targeting pedestrians when the evidence does not support pedestrians committing these offences is a problem resulting in collisions. Targeting pedestrians is contrary to dealing with the issue of safety.

Mr. Collins refers to the Transportation Research Board paper concluding the effects of high visibility enforcement does result in more yielding to pedestrians. I checked their website and could not find this paper but in any case in order for enforcement to work my experience is you need to focus on an identified problem area. In HRM, we are not getting any one intersection with a high number of collisions where we can focus.

With 2000 marked crosswalks in HRM, would these members try and monitor as many as possible or monitor busy ones trying to meet a ticket quota. Currently, we are monitoring where pedestrian-vehicle collisions occur and if we detect a pattern or problem crosswalk we will follow up. Pedestrian-motor vehicle collisions are spread out throughout HRM. Although traffic enforcement does generate revenue, the guiding principal is safety, not revenue.

We have identified the five intersections in HRM with the most pedestrian-vehicle collisions over the past five years and our traffic members have been assigned these intersections to monitor on an ongoing basis. The highest number of these types of collisions identified at any one intersection has been five. The problem is not rampant at any one place.

Tickets for crosswalks are expensive and involve demerit points. In these cases, as with speeding, there is a higher percentage which would be taken before the court for either trial, or as often is the case, to ask for a reduction in the fine. People do not want to lose their license or pay the full fine. Police receive six hour call outs for court which have not been factored into this proposal. Any reductions in fines result in the province taking their share first at the rate and we get what is left over from the reduced fine. We are also required to pay the 6% of the HRM share for the pension contribution for the DC account. There are also chronic traffic offenders who rarely pay their fines. Mr. Collins' projections for revenue in my opinion are overestimated.

## **Engineering and Education**

When you research pedestrian traffic safety, engineering is a key to long term safety. There are numerous intersections in HRM where engineering changes would increase safety for pedestrians. HRM is working towards identifying them (police do submit concerns when identified) and making improvements as budgets allow.

There is also an issue with the design of newer vehicles. The pillars on the right and left side of the front windshields of vehicles are now much wider than in the past. These pillars have been widened to accommodate. This in my opinion is causing visibility concerns when vehicles turn left or right at intersections. The amount of pedestrian-vehicle collisions while making turns at intersections seems to be increasing. I experienced this while driving a 2012 Chrysler 200. I discovered there is a blind spot while turning left on a sunny, clear day and realizing at the very last second a pedestrian was crossing. I didnot

observed the pedestrian because I was starting to turn. In order to adjust to these extra wide pillars, I now realize when turning a driver has to look around these pillars. I have had this discussion with many people who have also noted this. Drivers should be educated and made aware of this issue. I have noted recently pedestrian-vehicle collisions resulting from vehicles turning left or right are becoming the number one type of pedestrian-vehicle collision. I believe the vehicle design is one of the factors.

Professor Ashan Habib from Dalhousie has stated publicly the issue of pedestrian accidents will not be solved through enforcement, but through engineering changes. A Liberty Mutual Insurance study dated October 7, 2014 ranks the top 15 Safest U.S. Cities for pedestrians and then examines best practices in these top ranked cities. Technology and education are major practices which have reduced pedestrian's fatalities in these municipalities. If enforcement was the answer, then the government twinning the 100 series highways was not necessary because enforcement would have solved the problem. Enforcement is important as a deterrent to reduce accidents, but engineering is the key to long term permanent reductions.

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Clearly education is a major factor for these collisions. Numerous pedestrians are being struck by vehicles are wearing dark clothing at night and in poor weather. Education for drivers and pedestrians needs to continue to raise awareness of both sides and reduce collisions.

Mr. Collins refers to the number of pedestrian tickets issued by the Montreal Police (page 35 of the 2013 Annual Report). When you read page 15 of this same report, which addresses road safety, the report speaks to prevention activities "which have resonated with the population since the data shows that 12 pedestrians died in 2013, which is six less than the previous year". It appears Montreal Police feel education was a major factor in reducing pedestrian collisions and the word "enforcement" is not mentioned on page 15 under road safety.

Crosswalk safety is important and we will increase our monitoring of this issue for enforcement and education in 2015. We will continue to monitor the data and respond if a problem area is identified. Many new things such as zebra crossings have been recently implemented with other changes planned. Not enough time has passed since these new measures were implemented to determine if the changes have any positive effect. A dedicated unit, in the overall scheme of traffic safety, is not, in my opinion required at this time.