

I am here making this presentation to the Special Committee on Traffic Safety because I feel it is such an important issue. There are far too many lives affected by collisions, mine being one. My wonderful husband Alvin's life was taken by a very negligent driver. Our lives changed forever when a driver proceeded through an intersection, oblivious to many warnings to stop, to hit and kill him. On a clear morning with absolutely no excuse for it to have happened, while speeding, this driver went over 5 sets of speed bumps, past a warning of a major intersection, warning of a stop sign, a big stop sign on both sides of the highway and a red flashing light. Her first question to the Officer who attended as she walked away was "Was I suppose to stop?". She was simply charged with 'failing to stop at a stop sign' and fined \$100. I remember reading about that time that in another Province the fine for allowing your dog to ride in the back of your truck was \$100. You did not need to be in a collision where the dog was harmed.

I believe part of the problem is that many drivers are not made to pay a proper price for their offence. The appropriate charge for the person who killed my husband was 'Dangerous Driving Causing Death'. In seeking an answer as to why this was not seen to be a serious offence and the person was not made to take responsibility for killing an innocent human being, I contacted the Prosecutor, the Regional Crown Prosecutor and the Justice Minister's Office. I researched at the Law Library and found several case law where the person was less negligent and found guilty of that very offence. The Prosecutors refused to speak to me and I was told by the Justice Minister's Office "Ma'am – you are just going to have to find a way to get over this. Things like this happen to people every day in this Province". The Justice Minister did respond to a letter and told me that in order to be charged with a Criminal Code Offence there had to be 'intent'.

I certainly knew that was not true as the Criminal Code Book states you can be whether you were aware or had intent, OR it happened because you did not give to your conduct the attention that is required by law. The Prosecutors have a 'duty to press the evidence in support of guilt firmly and to it's fullest legitimate strength'. So, from this I could only assume they do not see such negligence and the taking of a life to be serious.

As a result of my inquiries and after an invitation to the Legislature where an M.L.A. spoke on my concern, a change was made to the 'Summary Offences Procedure Act' making it mandatory for any driver responsible for the serious injury or death of a person in a motor vehicle collision to appear in Court. I wasn't sure how that would help if the appropriate charge was not laid.

The laws are there to protect citizens and the penalty most certainly sends a message as to how serious it is seen to be. There is only one message one could get from this decision. All of the 800 family and friends who attended my husband's funeral who loved and cared about him, and the many they know all, I am sure, eventually learned that the Justice system did not value his life. I can only imagine what went through the minds of the many friends of my young son who were about to start driving. There are harsh penalties for having one too many drinks and getting behind the wheel, however, I see that as being no more irresponsible than driving down the roadway oblivious to many warnings to stop. I would like to see it be recognized as such. Collisions take far too many lives and seriously injure many more. In doing some research I also learned that the equivalent of two 7-47 crashes of people die every week on the roadways in North America.

When there is a plane crash, it is investigated and talked about sometimes for years. Each of those lives taken one, two, or more at a time in motor vehicle collisions are just as valuable and much thought needs to go in to what to do to prevent it from happening.

While some changes to the laws and penalties have been made in recent years, I feel more needs to be done. Drivers do not seem to be getting the message that they need to obey the rules of the road. Every day I encounter many drivers who speed up behind me and fly by when I am doing the speed limit, many who run red lights, and on highway trips have seen drivers fly by me and be out of sight in no time. I have made many trips between cities and not seen one Police car. Many are aware of this and drive as if they are free to do what they want. Recently I saw a driver on a busy street who had his cell phone to one ear and a cigarette in the other hand hanging out the driver's window.

As of yesterday, I still see people driving and talking on their cell phones. Every driver has to know that is not allowed. About a month ago as I was ready to proceed through a green light downtown, a truck that I spotted by being cautious ran through the red. I do not want to think about what would have happened to me in my smaller car had I not seen him and slammed on my brakes. I followed and took his plate number down and reported him to the Saskatoon Police Service. I was discouraged from proceeding with having him charged as I would have to be sure of his identity. In my opinion, if a person is not the one driving their own vehicle, they should know who is, unless of course it is stolen.

I only need to think of the four people who worked in a business my husband managed a few years ago to realize what a big problem motor vehicle collisions are and the pain they cause. All four have had their lives seriously affected by collisions.

Many other friends have suffered the same. It is very sad. Many complain about red light cameras, but in my opinion we need a few more. If they do not like getting a large fine for running a light, they have a choice. I realize these cameras are expensive, however, so is the cost when a life is taken. I do believe that most collisions occur at intersections and it is very seldom I see a Police car set up at one, I am sure because it is difficult to do so. I also believe that action should be taken when a driver who has health issues is reported. I recently telephoned S.G.I. as I witnessed an elderly gentleman fall on his face in a restaurant and admitted to the waitress it had happened before. He proceeded to get behind the wheel of his vehicle and drive home. I reported this to S.G.I., giving them his vehicle description and plate number and they informed me they could not infringe on his rights and would do nothing about it.

I wonder what they thought about the rights of a potential victim should something like that happen while he was driving.

I believe that any driver 70 years of age and over, and anyone with health issues that could affect their driving should be tested at least every year before having their drivers' licence renewed. Many changes take place at that age and I have witnessed many elderly drivers who should absolutely not be behind the wheel. Many families will not report their aging parent as – if they cannot drive it is an added responsibility to others in the family to get them to appointments, etc. I realize this is an expense, but it is important and could cost less than the cost of one serious collision. When there is talk of 'educating' drivers I become frustrated as anyone who has a drivers' licence already knows the rules to go by. The problem can be in the choice they make as to whether they go by those rules.

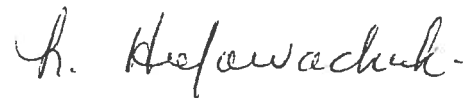
I believe there needs to be a harsh reminder for anyone who breaks the rules of the road and endangers anyone's life. They do not have the right to do that. As television ads with sad stories of people dying needlessly can hit home with many, I personally believe people who are negligent should have to watch a video of what it does to people's lives should their actions cause a serious collision as part of their penalty. I personally know several people who could make the hardest of hearts stop and think.

I do feel that penalties for all driving offences need to be increased. We must remember that EVERYONE has a choice as to whether they obey the rules and they most certainly need a harsh reminder if they do not.

I believe that any reduction in numbers from one year to the next is more as a result of some drivers learning that they must drive more defensively. Also, some weather conditions that are very severe have closed highways and probably saved some lives.

These are my thoughts on what I feel the problem is and what some solutions could be to try to reduce the number of fatalities on our roadways.

Thank you.

A handwritten signature in black ink, appearing to read "L. Holowachuk".

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