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LOCAL NEWS

Tinted windows threaten walkers' safety: pedestrian advocate

Police, province, industry agree vague law needs fine tuning

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The Ontario Ministry of Transportation and Ottawa Police have agreed that one pedestrian advocate's fight to better regulate window tinting is important.

And, though opinions vary on what level of tinting — if any — is appropriate for car windows, industry and advocates agree the law must be clarified once and for all.

A local expert on urban pedestrians recently, and for the second time, secured support from Ottawa Police in his two year-old bid to get the Ontario government to re-write its laws regulating vehicle window tinting.

But with no movement on the case by the province, retired Ottawa University professor Dr. Barry Wellar says it's only a matter of time before the government is hit with a lawsuit.

It's been two years since the former geography professor, and creator of the acclaimed Walking Security Index, began his appeal for an overhaul of the section of the Ontario Highway Traffic Act that deals with vehicular window film. So far, he says he's received little more than "strategic response" from the ministry.

In a presentation to the Police Services Board last week, Dr. Wellar thanked members for their previous

support, and requested they send another letter, confirming their backing his position to ban, or at least clarify current legislation.

"I hope you could repeat your earlier commitment to this cause and perhaps raise the language of it," Dr. Wellar said last week.

He also asked the police to consider "increas(ing) activity with regard to ticketing," vehicles with dark windows. "There's an awful lot of windows out there that are overly tinted," he said.

The ministry's current law states no one may tint his or her front windshield in any way, save for the 15 cm. sun visor strip, or 'eyebrow' at the top of the glass.

Many provinces have strict rules on window tints. In the maritime and western provinces, the front side windows may not be tinted at all.

Ontario remains mum on what density of tinting is permitted on side and rear windows, other than to say a view of the interior must not be obstructed.

This leaves pedestrians in a dangerous position, says Dr. Wellar. If a walker is crossing the road, in order to ensure a driver has seen them, he must make eye contact with the driver.

At night, tinted windows prevent this essential communication, says Dr. Wellar.

He cited a recent public

appeal by police officers in Toronto during their week-long 'Smart-Ped' public awareness campaign to make eye contact with drivers.

"The advice from the Toronto police was eye contact, you must make eye contact with the driver and vice versa."

Ottawa Police emphasize the same message, too, he said.

Dr. Wellar said he received a letter from the Ministry of Transportation Nov. 15 that represented a small breakthrough.

The ministry indicated "we will certainly keep the issue on our list of legislative items to pursue."

This, said Dr. Wellar, is an admission that what I have been doing is important. The question is, what did you do about the matter that you agree is worthy of action?"

"It's just a matter of time," he added. "There's going to be a trial and a lawyer is going to figure out 'my client was hurt because of tinted windows'. You want this to change before this happens, everyone agrees this is a no-brainer."

Experts in the window film industry agree current legislation is vague, although one veteran tinter thinks a little shade can be helpful.

Window film installer Sandro Savone agrees that



VICTORIA CARNAGHAN

Sandro Savone, a professional window film installer, says provincial window tinting laws do need to be clarified but doesn't support an all-out ban.

the provincial government needs to step up and clarify the current rules.

"The law says you have to be able to see in. But that changes with the time of day and whether it's raining or not. I wish it was regulated — everything, across the board."

The 39 year-old has practiced his own standards for 17 years at his Colonnade Rd. shop, but notes nothing stops "guys who work out of the trunk of their car" from giving a customer black-

ened windows all the way around a car.

If a customer wanted blacked out windows, said Mr. Savone, they "could find someone. No doubt about it."

Window film is measured by density percentage. A 5% film is almost solid black, 15% is easier to see through, and 30% allows good transparency, he said.

His personal rule is to not go darker than 15% on a vehicle's side front windows. If someone comes to ask for

5% on a side window, "I flat out tell them no."

But the law doesn't specifically prohibit someone from doing this.

Mr. Savone said he thinks an all-out ban wouldn't be appropriate. Some police officers working undercover need darker windows to do their work discreetly, as do insurance agents.

"I do these cars, I know who's coming in. I know what (tinting) is being used for. Some people have to use it."