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# ***CCMTA Road Safety Report Series***

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## **STRID EXPERT WORKING GROUP ON DISTRACTION**

### **DISTRACTED DRIVING MONITORING REPORT**

*Prepared For*

*CCMTA'S Standing Committee on Road Safety Research and Policies*

*by*

*STRID Expert Working Group on Distraction*

May 2010

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## CANADIAN COUNCIL OF MOTOR TRANSPORT ADMINISTRATORS

The *Canadian Council of Motor Transport Administrators* is a non-profit organization comprising representatives of the provincial, territorial and federal governments of Canada which, through the collective consultative process, makes decisions on administration and operational matters dealing with licensing, registration and control of motor vehicle transportation and highway safety. It also includes associate members from the private sector and other government departments whose expertise and opinions are sought in the development of strategies and programs.

The work of CCMTA is conducted by three permanent standing committees which meet twice a year. The mandates of the standing committees are as follows:

- ▶ The **Standing Committee on Drivers and Vehicles** is responsible for all matters relating to motor vehicle registration and control, light vehicle standards and inspections, and driver licensing and control.
- ▶ The **Standing Committee on Compliance and Regulatory Affairs** is concerned with the compliance activities of programs related to commercial driver and vehicle requirements, transportation of dangerous goods and motor carrier operations in order to achieve standardized regulations and compliance programs in all jurisdictions.
- ▶ The **Standing Committee on Road Safety Research and Policies** is responsible for coordinating federal, provincial and territorial road safety efforts, making recommendations in support of road safety programs, and developing overall expertise and strategies to prevent road collisions and reduce their consequences.

CCMTA's Board of Directors also meets twice per year to attend to the overall management of the organization, determine policy direction and provide overall guidance and direction to the standing committees. Recommendations of the standing committees are ratified by the CCMTA Board.

All CCMTA standing committee meetings are open to industry stakeholders. Associate membership further allows private organizations and other government bodies with an interest in matters dealing with motor vehicle transportation and highway safety to be kept apprised of CCMTA activities and have formal access to CCMTA meetings and proceedings.

For further information on CCMTA projects and programs or associate membership, please contact the Secretariat.

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## 1. INTRODUCTION:

The Strategy on Distracted Driving is included as an addition to the CCMTA Strategy to Reduce Impaired Driving (STRID), along with two other component strategies, the Strategy on Drugs and the Strategy on Fatigue. The primary strategy relates to alcohol, and its target is defined in terms of alcohol-related collisions. The Strategy on Distracted Driving belongs with STRID because distraction can be considered a form of impairment. However, no target has been assigned to the strategy due to the lack of a suitable baseline measure. Whereas, a good measure exists for alcohol-related collisions, we do not yet have the ability to measure the number of collisions due to distraction. The objective of the strategy relates to the overall target of Road Safety Vision 2010. The Distracted Driving Strategy also has activities directed to each of the four goals of Road Safety Vision 2010:

- Raise public awareness of road safety issues.
- Improve communication, cooperation and collaboration among road safety agencies.
- Enhance enforcement measures.
- Improve national road safety data quality and collection.

The purpose of this document is to report on jurisdictional progress towards measuring the role of driver distraction in collisions and to report on jurisdictional progress in managing the potential safety impacts of all sources of distractions. To this end, a questionnaire was devised to obtain and monitor jurisdictional information related to several of the key recommendations contained in the “Strategy to Address Driver Distraction” and also assist the Expert Working Group in completing some of its workplan tasks. These are:

Recommendation	Objective	Deliverable
1. Monitor current and emerging technologies, both original equipment and aftermarket, with respect to potential driver distractions	To provide resource material on distracted driving issues to jurisdictions	- Document providing: literature summary, bibliography and market scan of distracted driving
2. Monitor jurisdictions’ & public opinion, attitudes and behaviour regarding the issue of driver distraction on a regular basis.  Share information with F/P/T governments on legislative and regulatory options on driver distraction	To align public education and other countermeasures with public opinion, attitudes and behaviour and to monitor changes/trends over time  To ensure consistency of information/legislation/ regulation and practice across Canada	- TC to include a question in TIRF Road Safety Monitor re: distracted driving  - Survey jurisdictions as to what they are doing and if they have monitored distraction in last three years.
3. Jurisdictions to develop educational materials specifically to guide the use of emerging telematic systems in vehicles.	To reduce the risk of collisions resulting from the use of telematic devices in vehicles	- Sharing of educational material - Press kit

<b>Recommendation</b>	<b>Objective</b>	<b>Deliverable</b>
4. P/T should include a section on distracted driving in their driver's licence manuals.	To reduce the risk of collisions among new drivers by educating them on the risks of distraction, and to establish life-long safe driving practices	<ul style="list-style-type: none"> <li>- Jurisdictional survey as to what is captured in their driver handbooks re: distracted driving</li> <li>- Prepare model wording on driver distraction for jurisdictional driver handbooks</li> </ul>
5. Determine and recommend best practices for P/T regulations to address dangerous instances of driver distraction and the use of after-market devices.	<p>To facilitate discussion and ensure availability of required information to be shared among jurisdictions</p> <p>To develop best practices for legislation and regulations adaptable to current and emerging technologies</p>	<ul style="list-style-type: none"> <li>- Maintain liaison with D&amp;V</li> <li>- Review current , including international legislation</li> <li>- Draft best practices document</li> <li>- Final best practices document</li> </ul>
6. Encourage employers to adopt policies for their employees to reduce potential driving distractions.	<p>To reduce collisions due to driver distractions</p> <p>To provide employers with information and tools to implement a policy</p>	<ul style="list-style-type: none"> <li>- Develop guidelines/standards for employer policy</li> <li>- Develop web page with options for employer policy</li> </ul>

A few words about the legislative information in this report. Most Canadian jurisdictions have legislation to limit distracted driving, generally housed under their careless driving legislation. While the focus of this legislation and the associated penalties differ by jurisdiction, in general most consider an operating television in a car visible to the driver to be an infraction against their respective motor vehicle/highway legislation. Some provinces also legislate against other telematic devices (e.g., other screen types), and cell phones. Eight jurisdictions have passed legislation to specifically deal with cell phone use while driving; one jurisdiction has introduced legislation; while three others are considering it. Jurisdictions legislating against cell phones usually only ban hand-held devices for non- novice drivers, though some ban the use of electronic devices or cell phones completely for novice drivers.

Note: Only eleven jurisdictions responded to the questionnaire. These are: AB/SK/MB/ON/QC/NB/NS/PE/NL/NT and YT. Thus responses are missing from BC and NU.

## 2. LEGISLATION AND REGULATIONS

Legislation and Regulations on Driver Distraction, Cell Phone Use and Texting				
	Cell Phone Legislation/Regulation	Exemptions and/or Exceptions by Legislation and Regulation	Other Specific Distracted Driving Legislation / Regulation	General legislation / regulation concerning the fact that the driver has to always concentrate on his/her driving
British Columbia	<p>Yes Legislation, hand-held prohibited</p> <p>Began January 1, 2010.</p> <p>Part 3.1 of MVA: Prohibition against use of electronic device while driving 214.2 (1) A person must not use an electronic device while driving or operating a motor vehicle on a highway. (2) Without limiting subsection (1), a person must not communicate by means of an electronic device with another person or another device by electronic mail or other text-based message. 214.3 Section 214.2 does not apply to the following persons who use an electronic device while carrying out their powers, duties or functions: (a) a peace officer; (b) a person driving or operating an ambulance as defined in the <i>Emergency and Health Services Act</i>; (c) fire services personnel as defined in the <i>Fire Services Act</i>. Exceptions to prohibition — certain permitted activities 214.4 Section 214.2 does not apply to a person who uses an electronic device (a) while operating a motor vehicle that is safely parked off the roadway or lawfully parked on the</p>	<p><b>Exceptions:</b> Drivers in GDL program are prohibited from hands-free functions as well as hand-held as well as all prescribed devices listed in Bill 15 and OIC 712 including:</p> <ul style="list-style-type: none"> <li>- Hand held cellular phones</li> <li>- Hand held electronic devices used for email</li> <li>- Electronic devices with a hands free function;</li> <li>- GPS</li> <li>- Hand held micro computers</li> <li>- Hand held audio players</li> <li>- Televisions.</li> </ul> <p>(Note: not sure that the above additional restrictions are best captured under the category “exceptions.”</p> <p>Exceptions to prohibition — emergency personnel</p> <p>Handheld cell phones permitted in specific situations (see section 214.3 below)</p>	<p>Television set (screen cannot be visible to the driver); Motor Vehicle Act Regulations 7.18 (1) (2) (3)</p> <p>Note: This section was repealed and is now within the new legislation in Bill 15 and OIC 712</p>	<p>Yes, there is a general due care and attention law however in reality it only gets used for very serious offences/crashes and it has does not appear to have been used in relation to use of a cell phone.</p> <p>That section is as follows:</p> <p>Careless driving prohibited 144 (1) A person must not drive a motor vehicle on a highway (a) without due care and attention, (b) without reasonable consideration for other persons using the highway, or (c) at a speed that is excessive relative to the road, traffic, visibility or weather conditions. (2) A person who contravenes subsection (1) (a) or (b) is liable on conviction to a fine of not less than \$100 and, subject to this minimum fine, section 4 of the Offence Act applies.</p>

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	<p>roadway and is not impeding traffic,            (b) to call or send a message to a police force, fire department or ambulance service about an emergency, or            (c) that is configured and equipped to allow hands-free use in a telephone function, is used in a hands-free manner and is used in accordance with the regulations, if any.            Exceptions to prohibition — by regulation 214.5 Section 214.2 does not apply to            (a) a prescribed class of persons who, while carrying out their powers, duties or functions and driving or operating a motor vehicle or a prescribed class of motor vehicle, use an electronic device or a prescribed class or type of electronic device,            (b) a person who uses an electronic device while engaged in a prescribed activity or in circumstances or under conditions set out in the regulations, or            (c) a person who uses a prescribed class or type of electronic device.</p> <p><b>Sanctions:</b>            \$167 begin after Feb. 1. Drivers caught texting or e-mailing will also have three penalty points added to their licences. New drivers who violate any part of the rules will receive three points. To continue driving, people who accumulate more than three points must pay a penalty points premium to ICBC</p>	<p>214.3 Section 214.2 does not apply to the following persons who use an electronic device while carrying out their powers, duties or functions:            (a) a peace officer;            (b) a person driving or operating an ambulance as defined in the <i>Emergency and Health Services Act</i>;            (c) fire services personnel as defined in the <i>Fire Services Act</i>.            Exceptions to prohibition — certain permitted activities</p> <p>214.4 Section 214.2 does not apply to a person who uses an electronic device            (a) while operating a motor vehicle that is safely parked off the roadway or lawfully parked on the roadway and is not impeding traffic,            (b) to call or send a message to a police force, fire department or ambulance service about an emergency, or            (c) that is configured and equipped to allow hands-free use in a telephone function, is used in a hands-free manner and is used in accordance with the regulations, if</p>		

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		<p>any.            Exceptions to prohibition — by regulation            214.5 Section 214.2 does not apply to</p> <p>(a) a prescribed class of persons who, while carrying out their powers, duties or functions and driving or operating a motor vehicle or a prescribed class of motor vehicle, use an electronic device or a prescribed class or type of electronic device,</p> <p>(b) a person who uses an electronic device while engaged in a prescribed activity or in circumstances or under conditions set out in the regulations, or</p> <p>(c) a person who uses a prescribed class or type of electronic device.</p>		
Alberta	<p>Legislation has been introduced banning hand-held cell phone usage, hand-held electronic devices, screens visible to the driver, reading, writing, and personal grooming.</p> <p>Strathcona County has by-law prohibiting hand-held cell phone use while driving</p>	<p>Exceptions include the use of two-way radios, emergency personnel during the course of their duties and calls contacting emergency response units, and calls to a emergency response unit</p>	<p>Video entertainment system</p> <p>Vehicle Equipment Regulation 78</p>	<p>Traffic Safety Act</p> <p>115(1) For the purposes of this section, a driver of a vehicle is driving carelessly if that driver drives the vehicle</p> <p>(a) without due care and attention, or</p> <p>(b) without reasonable consideration for persons using the highway.</p>

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				<p>115(2) A person shall not do any of the following:</p> <p>(e) perform or engage in any stunt or other activity that is likely to distract, startle or interfere with users of the highway;</p> <p>f) drive a vehicle so as to perform or engage in any stunt or other activity on a highway that is likely to distract, startle or interfere with other users of the highway;</p> <p>(i) where that person is the driver of a vehicle, permit any person, animal or thing to occupy the front seat of the vehicle in such a manner so as to impede the driver in the free and uninterrupted access to and use of the steering wheel, brakes and other equipment required to be used for the safe operation of the vehicle;</p> <p>a) (j) where that person is the driver of a vehicle, permit any person, animal or thing in the vehicle to cause any obstruction to the driver's clear vision in any direction;</p> <p>(k) ride in a position in a vehicle that interferes with the driver's control over the driving mechanism of the vehicle or that obstructs the driver's clear vision in any direction;</p>

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Saskatchewan	<p>Yes Legislation, hand-held prohibited</p> <p>Began January 1, 2010.</p> <p>Traffic Safety Act 241(2) No driver shall use electronic communications equipment while driving a motor vehicle on a highway. (3) Subsection (2) does not apply to: (a) a driver who is not a new driver and who, while driving a motor vehicle on a highway: (i) activates the electronic communications equipment to make a phone call by pressing a button once on the electronic communications equipment, or on a device that is linked to electronic communications equipment, and does not hold the electronic communications equipment; or (ii) utilizes his or her voice to activate electronic communications equipment to make a phone call and does not hold the electronic communications equipment; (b) a driver if the driver is using electronic communications equipment to report an emergency to a police service, a fire department or emergency medical services or to request an ambulance; (c) a prescribed person or prescribed class of persons; or (d) a prescribed vehicle or prescribed class of vehicles.</p> <p><b>Sanctions:</b></p>	<p>As described in 241(2), drivers in the GDL program are prohibited from using hands-free communication devices.</p> <p>Sub section 241.1(2) of the Act does not apply to the following classes of persons: (a) peace officers acting in the course of their duties; (b) persons who drive emergency vehicles described in section 238 of the Act. Section 238 describes emergency vehicles as: Used for the transportation of a peace officer in the performance of the officer's duties; Used for the transportation of a member of a fire department in response to an emergency; An ambulance used in response to an emergency; or A vehicle or one of a class of vehicles designated by the board as an emergency vehicle which is used in response to an emergency.</p>	<p>241(1) No person shall operate or cause to be operated on a highway a vehicle equipped with a television set, video screen or computer screen unless: (a) the equipment is securely and safely mounted in the vehicle; (b) the equipment is located so that it does not obstruct the view of the driver; and (c) except as provided in subsection (2), any image that is displayed by the equipment is not visible to the driver. (2) An image displayed on a television set, video screen or computer screen may be located so that it is visible to the driver if the image only displays information that is solely designed to assist the driver: (a) in the safe operation of the vehicle, or in ensuring the safety and security of its load or its passengers; (b) to navigate; (c) by displaying the time;</p>	

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	\$280 (which includes a victims' surcharge of \$60) and four demerit points under the Safe Driver Recognition and Driver Improvement programs.		(d) if that driver is a peace officer, to carry out his or her duties as a peace officer; or (e) to assess fees or charges payable by passengers or users of the vehicle	
Manitoba	<p>An amendment to the <i>Highway Traffic Act</i> called <i>The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)</i></p> <p>Received Royal Assent on June 11, 2009. The Act will come into force on "a day to be fixed by proclamation". This is expected to be approximately one year after Royal Assent.</p> <p>Definitions regarding hand-operated electronic devices  <u>215.1(1)</u> The following definitions apply in this section  "hand-operated electronic device" means  (a) cellular telephone  (b) another electronic device that  (i) includes a telephone function and  (ii) normally held in the user's hand during use or requires the user to use his or her hand to operate any of its functions;  (c) an electronic device that is not otherwise described in clause (a) or (b) but that</p>	<p>Exception  <u>215.1(3)</u> As an exception to subsection (2), a person may use a hand-operated electronic device by hand to call or send a message to a police force, fire department or ambulance service about an emergency.</p> <p>Exception – police, fire and ambulance personnel  <u>215.1(4)</u> Subsection (2) does not apply to any of the following persons in relation to the use of a hand-operated electronic device in carrying out his or her duties:  (a) a member of the Royal Canadian Mounted Police Force or another police officer, police constable or constable;  (b) a firefighter employed by a fire department;  (c) an ambulance operator as</p>		<p>Fines for violations to the cellphone prohibition in <i>The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)</i> have not yet been established.</p> <p>Currently, under Manitoba's <i>Highway Traffic Act</i> (HTA) a charge of Imprudent Driving [HTA s.95(3)] can be laid if a police officer is of the opinion that the use of a cell phone affected a driver's ability to safely operate a motor vehicle. This offence carries a set fine of \$190.80 and two demerit points on the driver's record. A fine of up to \$2,000 can be imposed as well as a licence suspension of up to one year at the discretion of a judge. To address more serious cases of driver inattention, a charge of Careless Driving [HTA s.188(2)] may be</p>

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	<p>a. is capable of transmitting or receiving e-mail or other text-based messages , and</p> <p>b. normally is held in the user's hand during use or requires the user to use his or her hand to operate any of its functions; or</p> <p>(d) any other electronic device that is prescribed as a hand-operated electronic device by the regulations.</p> <p>“use” in relation to a hand-operated electronic device, means any of the following actions:</p> <p>(a) holding the device in a position in which it may be used;</p> <p>(b) operating any of the device's functions;</p> <p>(c) communicating by means of the device with another person or another device, by spoken word or otherwise;</p> <p>(d) looking at the device's display; and</p> <p>(e) taking any other action with or in relation to the device that is prescribed by the regulations</p> <p><u>215.1(2)</u> No person shall use a hand-operated electronic device while driving a vehicle on a highway unless,</p> <p>(a) before using the device by hand, the person safely drives the vehicle off the roadway and keeps the vehicle stationary while using the device; or</p>	<p>defined in section 1 of <i>The Emergency Medical Response and Stretcher Transportation Act</i></p> <p>Exception — certain radios and other equipment</p> <p><u>215.1(5)</u> Subsection (2) does not apply to the use of</p> <p>(a) a radio apparatus, as defined in section 2 of the <i>Radiocommunication Act</i> (Canada), that</p> <p>(i) is operated under the authority of a radio operator certificate issued under that Act,</p> <p>(ii) must, in order for its operator to communicate with another person, transmit radio signals to another radio apparatus that is operated under the authority of a radio licence issued under that Act, other than a radio licence issued to a cellular telephone network provider, or</p> <p>(iii) is the type of radio apparatus commonly</p>		<p>imposed. A person found guilty of this offence may be fined up to \$5,000.00 and suspended for up to a one year by a judge. A conviction will also result in eight demerit points on the driver's record, possible insurance surcharges and driver improvement action.</p>

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	<p>(b) the device</p> <p>a. is a cellular telephone or another electronic device that includes a telephone function, and</p> <p>b. is configured and equipped to allow hands-free use as a telephone and is used in a hands-free manner.</p> <p>Regulations  <u>215.1(6)</u> The Lieutenant Governor in Council may make regulations</p> <p>a. for the purposes of the definition “hand-operated electronic device” in subsection (1), prescribing other devices as hand-operated electronic devices;</p> <p>b. for the purposes of the definition “use” in subsection (1), prescribing other actions that, when done with or in relation to a hand-operated electronic device, constitute using it;</p> <p>c. respecting the exemption, with or without conditions, of certain classes or types of devices or vehicles, or certain classes of persons, from the operation of a provision of this section;</p> <p>d. respecting any matter the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this section.</p>	<p>known as citizen's band radio or family band radio; or</p> <p>(b) a mobile data terminal that</p> <p>(i) is used for dispatch or other business-related communications in a vehicle used for business purposes, and</p> <p>(ii) is not held in the driver's hand when the vehicle is moving.</p>		
Ontario	Yes legislation, hand-held communication and	Exceptions covered in 78.1(4), (5),	s. 78 (1) prohibits display	Police officers may choose to lay a

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	<p>entertainment devices and display screens unrelated to driving prohibited</p> <p>Began October 26, 2009. The following is prohibited:</p> <p>s.78.1(1) No person shall drive a motor vehicle on a highway while holding or using a hand-held wireless communication device or other prescribed device that is capable of receiving or transmitting telephone communications, electronic data, mail or text messages.</p> <p><b>Sanctions:</b> 3-month "education period" ended Jan. 31, 2010 (69 charges and over 3,300 warnings issued by the OPP)</p> <p>No ticketing during that time, but a court summons could be issued at officer's discretion.</p> <p>Part I ticketing began February 1, 2010. Set fine of \$125, total payable \$155 including \$25 victim surcharge and \$5 in court fees</p> <p>No demerits</p>	<p>and (6) – includes drivers of police, fire and ambulance emergency vehicles while in performance of their duties</p> <p>Exemptions for display screens and hand-held communication devices outlined in supporting regulation 366/09</p> <p>3-year exemption for use of two-way radios for commercial drivers, municipal fleet vehicles, public transit, courier, tow truck, taxi/limo drivers, federally-licensed Amateur Radio Operators</p>	<p>screen of a television, computer or other device visible to the driver</p> <p>78.1(2) prohibits hand-held entertainment devices</p> <p>Exceptions in 78 (2) and (3)</p>	<p>more serious charge of Careless Driving (Highway Traffic Act, s.130) or Dangerous Driving (Criminal Code of Canada, s.249(1)). In these cases, drivers distracted by prohibited devices or for any other reason can face more severe penalties.</p> <p>Careless Driving under the HTA carries a fine of up to \$2000 on conviction, six demerit points, possible jail time and a driver's licence suspension.</p> <p>If charged under the Criminal Code of Canada for dangerous operation of a motor vehicle, they could face jail terms of up to five years. The penalties are even more serious in cases involving injury or death.</p>
Quebec	<p>Yes legislation, handheld prohibited</p> <p>Began: April 1, 2008 Hand-held telephones.</p>	<p><b>Exception</b> This prohibition does not apply to drivers of emergency vehicles in the performance of their duties.</p>	<p><b>439.</b> No person may drive a road vehicle in which a television set or a display screen is so placed that the image broadcast on the</p>	

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	Cell Phone Legislation/Regulation	Exemptions and/or Exceptions by Legislation and Regulation	Other Specific Distracted Driving Legislation / Regulation	General legislation / regulation concerning the fact that the driver has to always concentrate on his/her driving
	<p>439.1. No person may, while driving a road vehicle, use a hand-held device that includes a telephone function.</p> <p>Presumption: For the purposes of this section, a driver who is holding a hand-held device that includes a telephone function is presumed to be using the device.</p> <p><b>Sanctions:</b> \$80 to \$100 plus costs and 3 demerit points</p>	2007, c. 40, s. 58.	<p>screen is directly or indirectly visible to the driver, except in the cases or on the conditions determined by regulation.</p> <p><b>Sanctions :</b> \$80 to \$100 plus costs</p>	
New Brunswick	No legislation	No legislation	<p>Must not drive vehicle when it is so full or when there is such a number of persons in front seat as to obstruct driver's view or interfere with driver's control</p> <p>May not drive when there are more than 3 persons in front seat</p> <p>Passengers prohibited from obstructing drivers view or interfering with driver's control.</p>	<p>NB Motor vehicle Act states: 346(1)Every person who drives a motor vehicle on a highway</p> <p>(a)without due care and attention,</p> <p>(b)without reasonable consideration for any other person using the highway, or</p> <p>(c)in a race, commits an offence.</p>
Prince Edward Island	<p>Yes legislation, handheld prohibited</p> <p>Began January 23, 2010</p> <p>291.1 (1) No person shall drive a motor vehicle on a highway while holding or using a hand-held</p>	Calls to 911 are exempt as are calls from the driver of an ambulance, fire department vehicle or police vehicle in the course of their duties.	<p>No TV sets in any position of the vehicle when television is operational</p> <p>Highway Traffic Act (133)</p>	<p>Highway Traffic Act (176)</p> <p>(a) at a speed that is greater than is reasonable and prudent under the conditions</p> <p>(b) without due care and attention or</p>

Legislation and Regulations on Driver Distraction, Cell Phone Use and Texting				
	Cell Phone Legislation/Regulation	Exemptions and/or Exceptions by Legislation and Regulation	Other Specific Distracted Driving Legislation / Regulation	General legislation / regulation concerning the fact that the driver has to always concentrate on his/her driving
	<p>wireless communication device or other prescribed device that is capable of receiving or transmitting telephone communications, electronic data, email or text messages.</p> <p><b>Sanctions:</b> fines ranging from \$250 to \$400 and three demerit points.</p>			<p>without reasonable consideration for other persons (c) that person suffers from a disease or physical or mental disability that might cause his/her driving of a vehicle to be a source of danger to other persons.</p>
Nova Scotia	<p>Yes legislation, handheld prohibited</p> <p>Began: April 1, 2008 Chapter 293 100D (1) It is an offence for a person to use a hand-held cellular telephone or engage in text messaging on any communications device while operating a vehicle on a highway.</p> <p><b>Sanctions:</b> Fine of \$164.5 (first infraction initial) to \$337 (third infraction)</p>	<p>100D (2) This Section does not apply to a person who uses a hand-held cellular telephone or other communications device to report an immediate emergency situation.</p>	<p>184 (5) No person shall drive on a highway a motor vehicle having attached therein or thereon any ornament, decoration, novelty or other thing that is so located that it obstructs or is likely to obstruct the vision or distract the attention of the driver of the vehicle (7) No person shall drive on a highway a motor vehicle equipped with a television viewer, screen or other means of visually receiving a television broadcast that is located in the vehicle at a point forward of the back of the driver's seat or that is visible to the driver while he is operating the vehicle.</p>	<p>100 (1) Every person driving or operating a motor vehicle on a highway or any place ordinarily accessible to the public shall drive or operate the same in a careful and prudent manner having regard to all the circumstances.</p> <p>(2) Any person who fails to comply with this Section shall be guilty of an offence.</p> <p>(3) The court or judge by whom a person is convicted of a violation of this Section may, in addition to any other penalty that may be imposed, make an order suspending the driver's license or the privilege of having a driver's license of the person convicted for such period, not exceeding one year, as the court or judge thinks proper.</p>

Legislation and Regulations on Driver Distraction, Cell Phone Use and Texting				
	Cell Phone Legislation/Regulation	Exemptions and/or Exceptions by Legislation and Regulation	Other Specific Distracted Driving Legislation / Regulation	General legislation / regulation concerning the fact that the driver has to always concentrate on his/her driving
			<i>R.S., c. 293, s. 184</i>	<b>Sanctions:</b> 6 demerit points  Fine of \$394.50 (first infraction) to \$1257 (third infraction)
Newfoundland and Labrador	<p>Yes legislation, handheld prohibited</p> <p>Began: April 1, 2003</p> <p>176.1 (1) In this section</p> <p>(a) "cellular phone" means an apparatus which can send and receive 2 way voice telecommunications without the aid of a wire or cord, except where that wire or cord is used as a power source, and excludes a 2 way radio device; and</p> <p>(b) "hand-held cellular phone" means a cellular phone the use of which requires being placed in proximity to the mouth and ear by being held in the hand or by another means that uses one or more parts of the body, but does not include a cellular phone that is equipped with and used with an external speaker or ear phone and microphone that may stand alone, be mounted in the vehicle, or worn on the body.</p> <p>(2) A person shall not use a hand-held cellular phone while driving a motor vehicle on a highway.</p> <p>(3)A person who uses a hand-held cellular</p>			<p>Imprudent driving</p> <p>110. (1) Notwithstanding subsection (2), a person shall not drive a vehicle on a highway or in another place</p> <p>(a) at a speed which is greater than is reasonable and prudent under the conditions and having regard to actual and potential hazards existing on the highway or other place;</p> <p>(b) without due care and attention;</p> <p>(c) without reasonable consideration for other persons; or</p> <p>(d) where that person suffers from a disease or physical or mental disability which might cause his or her driving of a vehicle to be a source of danger to other persons</p>

Legislation and Regulations on Driver Distraction, Cell Phone Use and Texting				
	Cell Phone Legislation/Regulation	Exemptions and/or Exceptions by Legislation and Regulation	Other Specific Distracted Driving Legislation / Regulation	General legislation / regulation concerning the fact that the driver has to always concentrate on his/her driving
	<p>phone contrary to subsection (2) is guilty of an offence.</p> <p><b>Sanctions:</b> \$100 to \$400 fine plus 4 demerit points</p> <p>NOTE: Changes in fine amounts Originally, fines were \$45 to \$180 Now \$100 to \$400</p>			
Yukon	No legislation	No legislation		There are currently no provisions in Yukon legislation regarding cell-phone use, though it is going forward as part of upcoming amendments to the Motor Vehicle Act.
Northwest Territories	No legislation	No legislation		Section 154(1) of Motor Vehicles Act makes it an offence to drive without due care and attention. 154(2) makes it an offence to drive without reasonable consideration of others using the highway. These offences could be used for someone using a cell phone and driving erratically.
Nunavut	No legislation	No legislation		

### 3. SUMMARY OF JURISDICTIONS WITH DISTRACTED DRIVING LEGISLATION

Jurisdictions with specific distracted driving, electronic entertainment device, or cell phone legislation	
JURISDICTION	DESCRIBE
BC	Legislation – yes
AB	Legislation has been introduced banning hand-held cell phone usage, hand-held electronic devices, screens visible to the driver, reading, writing, and personal grooming.
SK	Legislation – yes
MB	Legislation is not in effect yet
ON	Legislation – yes
QC	Legislation – yes
NS	Legislation – yes
NB	We are currently in the midst of a consultation phase with the goal of introducing a distracted driving bill.
PE	Legislation – yes
NL	Legislation – yes
NT	The NWT is considering introducing legislation. Distracted driving/cell phone legislation is currently a hot topic.
YT	Cabinet Submission currently in process.
NU	No legislation

### 4. FINES AND DEMERIT POINTS

Hand-held cell phone use			
	Fines (\$ amount)	Demerit Points (# of points)	Other, please specify:
BC			
AB	N/A	N/A	N/A
SK	280	4	N/A
MB	N/A	N/A	Legislation is not yet in effect – fines and demerits have not been established
ON	Set fine of \$125 (includes \$25 victim fine surcharge and \$5 in court fees for a total owing of \$155)	None	N/A

Hand-held cell phone use			
	Fines (\$ amount)	Demerit Points (# of points)	Other, please specify:
	<b>NOTE:</b> Drivers who endanger others by using a hand-held or hands-free device can also be charged with Careless Driving under Section 130 of the HTA (fines up to \$2,000). They may even be charged with Dangerous Driving under the Criminal Code (Section 249.1)	6 points	Up to 6 months in jail and licence suspension for up to 2 years.  Up to 5 years in jail
QC	\$80-\$100 plus costs (\$115-\$154)	3	N/A
NB	N/A	N/A	N/A
NS	164.5 (1 <sup>st</sup> ) to \$337 (3 <sup>rd</sup> )	None	N/A
PE	\$250 - \$400	3	N/A
NL	100 to 400	N/A	N/A
YT	N/A	N/A	N/A
NT	N/A	N/A	N/A
NU			

Hand-held electronic device use			
	Fines (\$ amount)	Demerit Points (# of points)	Other, please specify:
BC			
AB	N/A	N/A	N/A
SK	N/A	N/A	N/A
MB	N/A	N/A	Legislation is not yet in effect – fines and demerits have not been established
ON	Same as hand-held cell phone use	N/A	N/A
QC	N/A	N/A	N/A
NB	N/A	N/A	N/A
NS	N/A	N/A	N/A
PE	N/A	3	N/A
NL	N/A	N/A	N/A

<b>Hand-held electronic device use</b>			
	<b>Fines (\$ amount)</b>	<b>Demerit Points (# of points)</b>	<b>Other, please specify:</b>
NT	N/A	N/A	
YT	N/A	N/A	N/A
NU			

<b>Entertainment video display use</b>			
	<b>Fines (\$ amount)</b>	<b>Demerit Points (# of points)</b>	<b>Other, please specify:</b>
BC			
AB	N/A	N/A	N/A
SK	N/A	N/A	N/A
MB	N/A	N/A	N/A
ON	Same as hand-held cell phone use	N/A	N/A
QC	\$80-\$100 plus costs (\$115-\$154)	N/A	N/A
NB	N/A	N/A	N/A
NS	164.5 (1 <sup>st</sup> ) to \$337 (3 <sup>rd</sup> )	None	N/A
PE	N/A	N/A	N/A
NL	N/A	N/A	N/A
NT	58	None	N/A
YT	N/A	N/A	N/A
NU			

## 5. ASSESSMENT OF COMMERCIAL DRIVERS/OPERATIONS POINTS FOR A CONVICTION

<b>Assessment of commercial drivers/operators points for a conviction under the legislation, in addition to any demerits the drivers may receive.</b>	
<b>JURISDICTION</b>	<b>YES/NO</b>
BC	
AB	N/A
SK	Yes
MB	No

Assessment of commercial drivers/operators points for a conviction under the legislation, in addition to any demerits the drivers may receive.	
JURISDICTION	YES/NO
ON	No
QC	Yes
NB	No
NS	No
PE	No
NL	No
NT	No
YT	N/A
NU	

## 6. OFFENSES

Hand-held cell phone use		
	# of Charges laid (if available)	# of Convictions
BC		
AB	N/A	N/A
SK <sup>1</sup>	N/A	N/A
MB	N/A	N/A
ON <sup>2</sup>	N/A	N/A
QC	N/A	15,221 (2008)
NB	N/A	N/A
NS	4,314	4,118
PE <sup>3</sup>	N/A	N/A
NL	N/A	875
NT	N/A	N/A
YT	N/A	N/A
NU		

<sup>1</sup> Came into effect January 2010

<sup>2</sup> From October 26, 2009 (when distracted driving law took effect) until February 1, 2010, emphasis was placed on public education. Police were only able to issue drivers a summons under Part III of the Provincial Offences Act (POA). A driver receiving a summons is required to attend at court and faces a fine up to the maximum of \$500 penalty.

<sup>3</sup> Legislation began January 2010.

Hand-held electronic device use		
	# of Charges laid (if available)	# of Convictions
BC		
AB	N/A	N/A
SK	N/A	N/A
MB	N/A	N/A
ON	N/A	N/A
QC	N/A	N/A
NB	N/A	N/A
NS	N/A	N/A
PE	N/A	N/A
NL	N/A	N/A
NT	N/A	N/A
YT	N/A	N/A
NU		

Entertainment video display use		
	# of Charges laid (if available)	# of Convictions
BC		
AB	N/A	N/A
SK	N/A	N/A
MB	N/A	N/A
ON	N/A	N/A
QC	N/A	N/A
NB	N/A	N/A
NS	1	1
PE	N/A	N/A
NL	N/A	N/A
NT	0	N/A
YT	N/A	N/A

Entertainment video display use		
	# of Charges laid (if available)	# of Convictions
NU		

## 7. EVALUATION OF EFFECTIVENESS OF PROGRAMS

6/7. Has your jurisdiction undertaken an evaluation on the effectiveness of distracted driving and/or cell phone use legislation?		
JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE ANY PLANS
BC		
AB	N/A	No
SK	No	No
MB	No	No
ON	<p>Emphasis for the first three months after the law took effect (October 26, 2009 - January 31, 2010) was placed on public education. 69 charges and over 3,300 warnings were issued by the OPP province-wide during this education period.</p> <p>Ticketing began on February 1, 2010. Many police forces (i.e. in Ottawa, York, Durham, Sudbury, Chatham/Kent, Belleville and Stirling/Rawdon) held blitzes and media events during this ticketing period. In the first month of February, Toronto police issued almost 1,500 tickets. The OPP issued 50 tickets and 71 warnings province-wide. Also in the first week: 90 tickets were issued in York region, 63 in Durham, 52 in Niagara and 6 in Barrie.</p>	No
QC	No	Yes
NB	As part of our consultation and research, we have undertaken a study of distracted driving legislation across Canada.	N/A
NS	Attitude and behavior survey	N/A
PE	No	Yes
NL	No	No
NT	We are currently monitoring other jurisdictions' legislation with respect to the effectiveness of each approach (e.g. number of charges).	N/A
YT	N/A	N/A
NU		

## 8. LEGISLATION/REGULATION GOVERNING SPECIAL CLASSES OF VEHICLES OR DRIVERS

Are there different legislation/regulation governing distracted driving for special classes of vehicles or drivers (e.g., young/novice drivers, school bus drivers, etc.)? If so, please describe below.		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	No	N/A
SK	Yes	New drivers in the GDL program are prohibited from using any cell phone.
MB	No	Exemptions are provided for peace officers, fire fighters and ambulance drivers while in the course of their duties.
ON	Yes	<p>The legislation exempts drivers of emergency vehicles (fire, police, ambulance), allowing them to continue using hand-held communication devices. The regulation outlines exemptions for other classes of drivers and types of communication devices.</p> <p>Under the regulation, hand-held cell phone use is permanently exempted for a defined list of law enforcement and emergency personnel, while in the performance of their duties.</p> <p>Ontario has granted a three-year exemption to commercial and public service workers for the hand-held use of two-way radios, including mobile and CB radios. This includes public transit and school bus drivers as well as couriers, tow trucks, taxis, garbage trucks and other public utility and municipal fleet vehicles. Federally-licensed amateur radio operators have also been given this exemption, which will give the marketplace time to deliver new hands-free solutions. It will also allow businesses time to re-evaluate their communications requirements and plan for the transition to hands-free communications. The regulation lists emergency and law enforcement classes that have a permanent exemption for hand-held two-way radio use.</p> <p>Use of communication devices by young/novice drivers is not specifically addressed in the Act or regulation. Drivers who do not qualify for an exemption are able to use their communication devices in hands-free mode.</p>
QC	N/A	N/A
NB	N/A	N/A
NS	No	N/A
PE	Yes	While in the Graduated Driver Program, no person shall use a hand-held cellular telephone, headphones, mp3 player or any other hand-held device while operating or having control of a motor vehicle.
NL	No	N/A
NT	N/A	N/A
YT	N/A	N/A
NU		

## 9. JURISDICTIONS WITH TARGETED STEP PROGRAMS ON DRIVER DISTRACTION

Did your jurisdiction undertake distracted driving STEP (Selective Traffic Enforcement Programs – targeted enforcement) campaigns in 2009?		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	Yes	The Alberta Traffic Safety Calendar provides a monthly topic that guides provincial enforcement and communications activities. February 2009 was distracted driving month. ( <a href="http://www.transportation.alberta.ca/Content/docType48/Production/2010ABTSPcalendaroct.09.3pdf">http://www.transportation.alberta.ca/Content/docType48/Production/2010ABTSPcalendaroct.09.3pdf</a> )
SK	No	
MB	No	
ON	No	
QC	No	
NB	No	
NS	Yes	Seat belts, child passenger safety, drinking and driving; rural areas, commercial vehicles.
PE	No	
NL	No	
NT	No	
YT	No response	
NU		

## 10. MEASURING THE EFFECTIVENESS OF TARGETED ENFORCEMENT

How did your jurisdiction measure the effectiveness of the targeted enforcement?		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	N/A	N/A
SK	N/A	N/A
MB	N/A	N/A
ON	N/A	N/A
QC	N/A	N/A
NB	N/A	N/A
NS	N/A	N/A

How did your jurisdiction measure the effectiveness of the targeted enforcement?		
JURISDICTION	YES/NO	DESCRIBE
PE	N/A	N/A
NL	N/A	N/A
NT	N/A	N/A
YT	N/A	N/A
NU		

## 11. 2009 PUBLIC AWARENESS ACTIVITIES

Were public awareness activities, programs or events were conducted on driver distraction in your jurisdiction in the calendar year 2009? (e.g.: special events, clinics, media, etc).		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	YES	<p>The Alberta Traffic Safety Calendar provides a monthly topic that guides provincial enforcement and communications activities. February 2009 was distracted driving month.</p> <p>(<a href="http://www.transportation.alberta.ca/Content/docType48/Production/2010ABTSPcalendaroct.09.3pdf">http://www.transportation.alberta.ca/Content/docType48/Production/2010ABTSPcalendaroct.09.3pdf</a>)</p> <p>February 2009 was distracted driving month. The following radio spot aired throughout the month:</p> <p><a href="http://www.saferoads.com/audio/RushHour_Distractions_2009.mp3">http://www.saferoads.com/audio/RushHour_Distractions_2009.mp3</a></p>
SK	Yes	
MB	Yes	<p>Manitoba Infrastructure and Transportation (MIT), along with Manitoba Public Insurance, conducted a four-week advertising campaign “See the Signs”, last fall (Sept. 21 – Oct. 18/09). Campaign included province-wide TV, radio, outdoor, and print. MIT’s website featured additional information on the cell phone issue, along with an interactive game. A brochure was also produced for distribution to brokers and Driver Ed classes.</p> <p><a href="http://www.gov.mb.ca/seethesigns/">http://www.gov.mb.ca/seethesigns/</a></p>
ON	Yes	<p><b>2009 Initiatives</b></p> <p>MTO developed iDRIVE, an innovative youth road safety program in partnership with arrive alive DRIVE SOBER (formerly the Ontario Community Council on Impaired Driving), Ontario Students Against Impaired Driving (OSAID) and the Student Life Education Company to raise awareness among young drivers about the risks and consequences of unsafe driving practices, including distracted driving. The ministry released a sequel in May 2009 for distribution to secondary school audiences across Ontario.</p> <p>Safety messages on our COMPASS signs are on a rotation, and are displayed during ‘non peak’ times:</p> <ul style="list-style-type: none"> <li>○ Cell Phone UsersCELL PHONE USERS/ DRIVE NOW – TALK LATER;</li> </ul>

Were public awareness activities, programs or events were conducted on driver distraction in your jurisdiction in the calendar year 2009? (e.g.: special events, clinics, media, etc).		
JURISDICTION	YES/NO	DESCRIBE
		<ul style="list-style-type: none"> <li>○ SAFETY COMES FIRST/DRIVE NOW – TALK LATER;</li> <li>○ PLEASE FOCUS ON DRIVING/AVOID USING CELL PHONE;</li> </ul> <p>MTO's website contains information on how distractions affect your driving and relevant links to recent research and reports on distracted driving.</p> <p>The Distracted Driving legislation is supported by a comprehensive public education strategy emphasizing "Eyes on the Road, Hands on the Wheel". The Ministry of Transportation used a number of ways to reach out to the public prior to and during the three-month educational period starting in the fall of 2009:</p> <p>MTO's website contains information on the new distracted driving law, how distractions affect driving and relevant links to recent research and reports on distracted driving. <a href="http://www.ontario.ca/eyesontheroad">www.ontario.ca/eyesontheroad</a></p> <p>A new info card and poster outlining the new rules <a href="http://www.mto.gov.on.ca/english/safety/distracted-driving/distracted-driving-card.pdf">http://www.mto.gov.on.ca/english/safety/distracted-driving/distracted-driving-card.pdf</a></p> <p>Road signs on our highways at border crossings and other strategic locations</p> <p>A television and radio PSA developed with the Ontario Association of Chiefs of Police, made available to Ontario broadcasters in the fall</p> <p>The Driver Handbook was updated to include more info about the dangers of distracted driving and that it is an offence under the HTA. <a href="http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.10.7.shtml">http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.10.7.shtml</a></p> <p>The Ministry's Regional Planners work with over 150 community groups across the province to raise awareness of distracted driving through local initiatives.</p> <p>Targeted public education will continue to be used to raise awareness about the dangers of driver distraction, including both hand-held and hands-free cell phone use, while driving.</p>
QC	No	
PE	Yes	Transportation and Infrastructure Renewal, Highway Safety courses and media advertisement.
NB	No	
NS	No	
NL	No	

Were public awareness activities, programs or events were conducted on driver distraction in your jurisdiction in the calendar year 2009? (e.g.: special events, clinics, media, etc).		
JURISDICTION	YES/NO	DESCRIBE
NT	Yes	Drive Alive, our public awareness road safety program, includes radio messages on driving while distracted. Our website contains information on distracted driving and links to videos from other jurisdictions on the issue. <a href="http://www.dot.gov.nt.ca/_live/pages/wpPages/home.aspx">http://www.dot.gov.nt.ca/_live/pages/wpPages/home.aspx</a>
YT	Yes	
NU		

## 12. MEASURING THE EFFECTIVENESS OF DRIVER DISTRACTION ACTIVITIES

How did your jurisdiction measure the effectiveness of driver distraction activities, enforcement or other, that were conducted in 2009?		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	N/A	
SK	No	Media interviews only, resulting in journalist-written news stories.
MB	Yes	<p>MPI conducted a post-advertising campaign program evaluation – consisting of a phone survey of 800 Manitobans. Results:</p> <ul style="list-style-type: none"> <li>• Almost six in ten Winnipeg drivers (58%) and slightly fewer Manitoba drivers (55%) recall seeing the cell phone ad “See the Signs”. <i>This result is well above the Canadian average (45%).</i> In addition to reaching the adult audience, 42% of youth drivers (ages 15-17) report seeing the ad.</li> <li>• “See the Signs” effectively delivered its intended message. Aided message recall (82% <i>strongly agree</i>) exceeds our MPI norm (70%) and the national average (50%).</li> <li>• Over half of adult drivers <i>strongly agree</i> that “See the Signs” <i>convinces them to not use a handheld cell phone to talk or text while driving</i> (55%). This result exceeds the national average (20%).</li> <li>• One-third of adult drivers say they changed their driving habits as a result of seeing the commercial (33%).</li> </ul> <p>Youth drivers were more likely to report a behaviour change (45%).</p>
ON	Yes	Media Scan: there was a substantial amount of earned media about the new law both prior and after implementation

How did your jurisdiction measure the effectiveness of driver distraction activities, enforcement or other, that were conducted in 2009?		
JURISDICTION	YES/NO	DESCRIBE
		Correspondence tracking: From October 2009 until February 2010, 85 letters were received Anecdotal feedback from community and provincial groups Internet: From October 2009 until February 2010, there were a total of 118,970 hits on MTO web pages concerning distracted driving
QC	N/A	N/A
PE	Yes	Recorded on driving records.
NB	N/A	N/A
NS	N/A	N/A
NL	N/A	N/A
NT	N/A	N/A
YT	N/A	N/A
NU		

### 13. JURISDICTIONAL OBSERVATIONAL OR TELEPHONE SURVEYS

Has your jurisdiction undertaken any observational or telephone surveys regarding distracted driving and/or cell phone use? If so, please provide details below.		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	No, but there are plans to undertake one	
SK	Yes	A pre-implementation of legislation banning cell phones in Saskatchewan was conducted. Observers were positioned at intersections in 7 locations across the province, who counted the number of drivers using cell phones. The number of cars passing through each point was also counted. The type of vehicle in which the driver was using a cell phone, the driver's age and gender were also collected. Data was collected in the morning and evening at all the locations.  The driver cell phone use rate was estimated to be 1.3% in the morning and 2.5% in the evening. The overall use rate was 2.0%.
MB	Yes	MPI conducted telephone surveys of both adults and youth in 2009 on road safety issues including questions to determine attitudes and behavior related to cell phone usage while operating a vehicle e.g. to what extent is the use of cell phones while operating a vehicle a serious problem, personal usage of a cell phone while driving, and attitude toward the recent MB legislation prohibiting the use of a cell phone

Has your jurisdiction undertaken any observational or telephone surveys regarding distracted driving and/or cell phone use? If so, please provide details below.		
JURISDICTION	YES/NO	DESCRIBE
		while operating a vehicle.
ON	No	
QC	Yes	We did an observational survey on different sites all across the province. (The results have not been published yet) We did observe if the drivers were using a hand-held device or not. We also did a telephone survey among 1,000 respondents and 32% of the cell phone users admitted using it while driving in the last 7 days.
PE	No	
NB	No	
NS	Yes	2009 road safety attitude and behavior telephone survey.
PE	No, but there are plans to undertake one	
NL	No	
NT	Yes	We have canvassed communities in the NWT that have cell phone service whether driving while using a cell phone is a problem in their community. Yellowknife was the only community that saw it as an issue.
YT	No, but there are plans to undertake one	
NU		

#### 14. CELL PHONE LEGISLATION FOR YOUNG DRIVERS

Are there different legislation/regulations governing cell phone use for young/novice drivers? If so, please describe below.		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	No	
SK	No	
MB	N/A	
ON	No	
QC	No	
PE	Yes	Total ban on hand-held devices for drivers in the Graduated Driver Licensing Program.
NB	N/A	

Are there different legislation/regulations governing cell phone use for young/novice drivers? If so, please describe below.		
JURISDICTION	YES/NO	DESCRIBE
NS	No	
PE	N/A	
NL	No	
NT	No	
YT	N/A	
NU		

#### 15. EDUCATION MATERIALS TO GUIDE USE OF EMERGING TELEMATIC SYSTEMS IN VEHICLES

Has your jurisdiction developed educational materials specifically to guide the use of emerging telematics systems in vehicles? (as per work plan recommendation #3)		
JURISDICTION	YES/NO	DESCRIBE
BC		
AB	No	
SK	No	
MB	No	Not at this time.
ON	No	
QC	Yes	(See leaflet included)
PE		
NB	No	
NS	No	
PE	No	
NL	No	
NT	No	
YT	N/A	
NU		

## 16. DRIVE DISTRACTION INFORMATION IN DRIVER HANDBOOKS

Does the driver handbook for your jurisdiction contain information related to distracted driving (and/or cell phone use while driving)?		
JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
BC		
AB	Yes	N/A
SK	<p><b>Cellular phones:</b> Many collisions are the result of driver inattention. With the growing popularity of cellular phones, many people are talking on the phone while driving, which can have dangerous consequences.</p> <p>The following are key tips to remember when using a cellular phone in your vehicle to ensure a safe ride:</p> <ul style="list-style-type: none"> <li>▪ use a hands-free unit</li> <li>▪ become familiar with your phone and its features</li> <li>▪ before you try to use it while driving</li> <li>▪ don't dial while driving - instead, pull off the road</li> <li>▪ be a good Samaritan by reporting emergencies and road hazards</li> <li>▪ never take notes or look up phone numbers while driving</li> <li>▪ avoid stressful or emotional conversations while on the road; you can always pull over or end the conversation</li> <li>▪ do not use a cellular phone when refueling your vehicle</li> <li>▪ most importantly, whenever possible, pull over to a safe spot on the roadside to use the phone</li> </ul>	N/A
MB	<p><b>Distractions:</b> Distractions can be dangerous because they reduce your ability to respond as quickly as you should to emergencies. For example, studies show that there is a direct connection between cell phones and dangerous driving. Drivers who talk or text on a cell phone while they're behind the wheel significantly increase their crash risk. That's why Manitoba is making it illegal for drivers to use hand-held cell phones when they are behind the wheel of a vehicle. This law will come <b>into force in 2010</b>.</p>	
ON	<p><b>Cellular phones:</b> Cellular phones can be an important safety aid for drivers. But using a cellular phone while driving takes a driver's attention away from the task of driving. Distracted drivers are more likely to make mistakes or react too slowly. That's why the rules for using hand-held electronic devices (e.g. cell phones, smart phones, GPS units) have changed. Drivers who talk, text, type, dial or email using hand-held cell phones and other hand-held communications and entertainment devices face fines of up to \$500. Police can also charge drivers with careless driving or even dangerous driving (a criminal offence) if they do not pay full attention to the driving task.</p>	N/A

Does the driver handbook for your jurisdiction contain information related to distracted driving (and/or cell phone use while driving)?		
JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<p>Make it a habit to use your cell phone only when you are parked. If you are driving and your phone rings, let your cellular voice mail take the call and listen to the message later. If you must use a cell phone when driving, you must use it hands-free.</p> <p><b>Driver distractions:</b> Driving is a job that requires your full attention every time you get behind the wheel. Any secondary activity will detract from your ability to drive properly and safely. You must reduce distractions and focus on your driving.</p> <p>There are a number of possible driver distractions including:</p> <ul style="list-style-type: none"> <li>• Using devices such as GPS systems, stereos, CD and DVD players, radios, cell phones, laptops, PDA's and MP3 players</li> <li>• Reading maps, directions or other material</li> <li>• Grooming (combing hair, putting on make-up or shaving)</li> <li>• Eating or drinking</li> <li>• Taking notes</li> <li>• Talking with passengers</li> <li>• Tending to children or pets</li> <li>• Adjusting the controls in your vehicle (radio, CD player or climate control)</li> <li>• Visual distractions outside your vehicle, such as collisions or police activity</li> </ul> <p>Careless driving is a serious offence. Police can charge drivers with careless driving if drivers do not pay full attention to their driving. If you are convicted of careless driving, you will get six demerit points and can be fined up to \$1,000 and sentenced to up to six months in jail. In some cases, your licence may be suspended for up to two years.</p> <p><b>Tips to reduce driver distractions</b></p> <ul style="list-style-type: none"> <li>• Attend to personal grooming and plan your route before you leave.</li> <li>• Identify and preset your vehicle's climate control, radio and CD player.</li> <li>• Make it a habit to pull over and park to use your cell phone or have a passenger take the call or let</li> </ul>	

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JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<p>it go to voice mail.</p> <ul style="list-style-type: none"> <li>• Put reading material in the trunk if you are tempted to read.</li> <li>• Do not engage in emotional or complex conversations. Stress can affect your driving performance.</li> <li>• When you are hungry or thirsty, take a break from driving.</li> </ul> <p>Remember to focus on your driving at all times. A split-second distraction behind the wheel can result in injury or even death.</p> <p>Source: <a href="http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.10.0.shtml">http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.10.0.shtml</a></p>	
QC	<p><b>Driver Distractions</b></p> <p>A multitude of factors can adversely affect concentration when driving a vehicle. Drivers need to be aware that there are many unavoidable sources of distraction that can nonetheless be managed.</p> <p>Stimuli outside the vehicle (billboards, restaurants) or passengers who talk to the driver are all factors that can interfere with concentration. Even if drivers think they are in full possession of their faculties, unexpected events and stimuli can reduce their reaction time.</p> <p><i>Cell Phones, a Significant Source of Distraction</i></p> <p>Since legislation regarding the use of cell phones while driving was amended in 2008, disregard pages 217 to 218 of the <i>Driving a Passenger Vehicle</i> guide (2005 edition).</p> <p>Many studies have shown that using a cell phone while driving is a major cause of cognitive and visual distractions that increases the risk of being involved in a road accident or committing an offence under the <i>Highway Safety Code</i>.</p> <p>The first rule of cell phone use is...not to use the phone while driving! Turn off your phone when you are at the wheel and let your voice mail or a passenger take your calls for you. The hands-free option is no safer than the hand-held device, for studies have shown that both have an adverse effect on driving. It is not so much the handling of the device that poses a problem, but the telephone conversation itself, since a cell phone is more of a mental than a physical distraction. The distraction related to a cell phone conversation</p>	N/A

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	<p>remains present even if a driver has both hands on the wheel.</p> <p>Using a cell phone at the wheel undermines the attention required for driving and impairs a driver's performance in several ways:</p> <ul style="list-style-type: none"> <li>• Visual perception declines (reduced visual field, staring);</li> <li>• The ability to avoid obstacles is reduced;</li> <li>• The ability to detect stimuli inside and outside the vehicle decreases;</li> <li>• Braking reaction time in critical situations increases;</li> <li>• The adaptation time that allows a driver to maintain a safe distance between vehicles increases;</li> <li>• Driving in a straight line and keeping the vehicle in the centre of the lane become more difficult.</li> </ul> <p><i>Ban on Hand-Held Cell Phones</i></p> <p>Since April 1, 2008, the use of any type of hand-held device with a telephone function while driving has been prohibited. The law bans the use of any type of device with a telephone function that can connect to a telephone network, whether or not the function is activated. Such devices include:</p> <ul style="list-style-type: none"> <li>• Conventional cell phones;</li> <li>• Wireless information devices (BlackBerries);</li> <li>• Cell phones with a transmitter-receiver function (walkie-talkies);</li> <li>• Devices that display e-mails or that enable a user to browse the Internet.</li> </ul> <p>Simply holding this type of device in your hand while driving, regardless of use, is an offence that earns:</p> <ul style="list-style-type: none"> <li>• A fine of \$115 to \$154;</li> <li>• Three demerit points.</li> </ul> <p>A "hand-held device" means one where the entire device is held in the hand to make a call.</p> <p>Drivers who bring their vehicle to a stop for road signs, traffic signals or traffic obstructions are still</p>	

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JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<p>considered to be driving a vehicle, just as drivers who are waiting at a red light or in a traffic jam are also still driving a vehicle. Hand-held cell phones cannot be used by drivers in these situations.</p> <p>However, drivers who bring their vehicle to a safe and legal stop at the side of the road to use a cell phone are no longer considered to be driving, even if the vehicle's engine is running.</p> <p>Conclusion</p> <p>Driving looks simple but in reality is very complex. It demands that you be alert and well rested at all times. Drivers have to pay attention and keep their hands on the wheel and eyes on the road. However, it is doubtless impossible to completely ignore the many distractions likely to interfere with driver concentration. Drivers must therefore be fully aware of how distractions affect their driving and must learn how to manage or even eliminate them so as to limit the consequences and reduce the risk of an accident.</p>	
PE	<p><b>DRIVER DISTRACTIONS</b></p> <p>Be familiar with the equipment in your car, such as the stereo system and cell phone. This is especially important if you have a new phone or car, or a rental vehicle. Practice before driving so you can perform basic functions without taking your eyes off the road.</p> <p>Program your favorite stations into the radio for easy access. Arrange tapes and CDs in an easy-to-reach spot.</p> <ul style="list-style-type: none"> <li>• Keep your hands on the wheel and your eyes on the road. If you choose to use your wireless phone, use a hands-free device and keep it in its holder.</li> <li>• Make sure your children are comfortable and properly buckled up. To keep children from distracting the driver, provide them with safe items they may need for the road trip. Teach your children the importance of good behaviour while in a vehicle. Don't underestimate how distracting it can be to tend to them in the car.</li> <li>• Pull over to eat or drink. By stopping, you can give yourself a break from the traffic and enjoy your refreshments. Children or adults may choke on food while in the vehicle, causing a severe distraction for the driver. Avoid eating while driving, but if you must, choose easy-to-handle items and make sure all</li> </ul>	N/A

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JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<p>drinks are secured in cup holders.</p> <ul style="list-style-type: none"> <li>• Check your route before leaving. If you are unfamiliar with where you're going, study a road map to avoid unnecessary stress and distractions. Do not attempt to read the road map while driving.</li> <li>• Complete your grooming before leaving. Don't rely on the time in your vehicle to take care of your personal routine such as applying makeup, combing your hair or shaving. Don't try to retrieve items that fall to the floor while driving. Wait until your vehicle is parked.</li> <li>• Do not engage in emotionally charged conversations either with the passengers or on your mobile phone. Such discussions can result in aggressive or erratic driving behaviour.</li> <li>• Never take notes while driving. Always find a safe place to stop before writing things down. Designate a front-seat passenger to serve as "co-pilot" rather than fumble with maps or unfamiliar navigation systems.</li> <li>• Drive defensively. Be prepared for the unsafe actions of other motorists or for poor driving conditions. If you find yourself 'lost in thought' while driving, take a break.</li> <li>• Tired driving. Don't begin your trip unless you are well rested. Dozing off behind the wheel for just two to three seconds can be deadly. If you're driving 90 km per hour, your car can travel the length of a football field in three seconds.</li> <li>• Heavy traffic. Plan your drive times to avoid the "rush hours" of people leaving the city. Agitation can lead to aggressive driving behaviours like tailgating and speeding. Remember, every other driver on the road is subject to the same stress, fatigue, anger and distractions that you are.</li> <li>• Oncoming traffic. Be alert for unanticipated movements like a car drifting across the centre line or cutting into your lane. Be prepared to drive calmly into the ditch if necessary to avoid a crash. Don't panic and try to over steer – this can lead to a rollover. Approach intersections with caution. Just because you have the right-of-way doesn't mean the other drivers will stop.</li> <li>• Breaks. Schedule frequent rest breaks for your passengers as well as yourself. If children are bored and</li> </ul>	

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JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<p>restless, they can be distracting. Driver distraction is a leading cause of motor vehicle crashes.</p> <ul style="list-style-type: none"> <li>• Stopping. Always stop at stop signs – whether or not you can see there are any vehicles coming. Fatal crashes can happen because someone didn't stop because they were certain the "coast was clear."</li> </ul> <p><b>TIPS FOR USING CELL PHONES IN A VEHICLE</b></p> <ul style="list-style-type: none"> <li>• Always buckle up, keep your hands on the wheel and your eyes on the road.</li> <li>• Use a hands-free device to make it easier to keep both hands on the wheel.</li> <li>• Stop the vehicle if you need to dial, or have a passenger dial for you.</li> <li>• Do not engage in stressful or emotional conversations that may divert your attention from the road.</li> <li>• Program frequently called numbers into the speed dial feature of your phone for easy, one-touch dialing, or use auto answer or voice-activated dialing services (when available).</li> <li>• Never take notes while driving. Pull off the road if you need to write something down.</li> <li>• Let voice mail pick up your calls when it's inconvenient or unsafe to answer the phone or driving conditions become hazardous.</li> <li>• Call 9-1-1 to report any crimes, life-threatening emergencies, collisions or drunk drivers. In Canada alone, nearly three million calls per year are made to 9-1-1 or emergency numbers using a wireless phone.</li> </ul>	
NB	<p><b>CELLULAR PHONES:</b> Cellular telephones are an important safety aid for drivers. Many people use their cellular telephone to report collisions and crimes and for their personal safety when their vehicle breaks down or they are lost.</p> <p><b>Some safety tips when using your cellular phone are:</b></p> <ul style="list-style-type: none"> <li>• Use a hands-free device to make it easier to keep both hands on the wheel.</li> <li>• When dialling manually, dial only when stopped, or have a passenger dial for you.</li> </ul>	

Does the driver handbook for your jurisdiction contain information related to distracted driving (and/or cell phone use while driving)?		
JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
	<ul style="list-style-type: none"> <li>• Avoid unnecessary calls and keep conversations to a minimum.</li> <li>• Be familiar with the various functions of your cellular phone and program frequently dialled numbers.</li> <li>• Do not use your cellular phone when driving conditions are hazardous.</li> </ul> <p><b>It is an offence under the <i>Motor Vehicle Act</i> to drive without due care and attention.</b></p> <p><b>DRIVER DISTRACTIONS:</b> Many everyday habits of drivers are dangerous and can lead to crashes. Distractions such as eating fast food, drinking coffee, changing the radio station, switching CDs or tapes, talking on a cellular phone and trying to keep an eye on children in the vehicle increase the risk of being involved in a collision. <i>All drivers should drive defensively and be prepared for the unsafe actions of other motorists or for poor driving conditions.</i></p>	
NS	<p>Chapter 4 Preventing Collisions Driver inattention: Pay close attention to the task of driving your vehicle. Collisions can occur in a matter of seconds. Be ready to act immediately.</p> <p>Driver distraction: Resist the temptation to become a spectator.</p> <p>Chapter 4 Safe Driving Tips: Do not divert your attention from the task of driving. Eating, drinking, smoking or using a cell phone are examples of activities that cause inattention</p>	
PE		
NL	Yes	N/A
NT	<p><b>Cellular telephone use in vehicles:</b> It is recommended that you do not use a cell phone while driving. Using a cell phone while driving can take the driver's attention away from the primary task of driving. This applies to hands-free telephones as well. If you need to make or receive a call, first pull over to the side of the road in a safe place and stop.</p>	N/A
YT	N/A	No
NU		
<b>If the CCMTA STRID Expert Working Group on Distraction developed information that your jurisdiction could include in your driver's licence manual, would your jurisdiction consider using it.</b>		
JURISDICTION	YES/NO	
BC		
AB	Yes	

Does the driver handbook for your jurisdiction contain information related to distracted driving (and/or cell phone use while driving)?		
JURISDICTION	IF YES, DESCRIBE	IF NO, ARE THERE PLANS
SK	Yes	
MB	Yes	
ON	Yes	
QC	Yes	
NB	Yes	
NS	Yes	
PE	Yes	
NL	Yes	
NT	Yes	
YT	Yes	
NU		

## 17. EMPLOYER POLICIES

Is your jurisdiction currently encouraging employers to adopt policies for their employees to reduce potential driving distractions and if so, what are the details? Please provide information below.		
JURISDICTION	YES/NO	IF YES, DESCRIBE
BC		
AB	Yes	We are a member of the Road Safety @ Work - Best Practices group. This group has government and industry members who are developing a best practices document that will be useful for employers and their employees. The best practices document will address distracted driving.
SK	Not actively	
MB	Yes	MPI has recently updated its corporate policy on cell phone use in corporate vehicles.
ON	Yes	Ontario's distracted driving law applies to all drivers. We support and encourage employers to adopt guidelines which will help reduce distracted driving and support safe driving for their respective employees.  The Ministry of Transportation issued a policy statement requiring its employees to refrain from hand-held communications while driving ministry vehicles, or any vehicle while on ministry business. The policy also discourages any other non-essential communication while driving.

Is your jurisdiction currently encouraging employers to adopt policies for their employees to reduce potential driving distractions and if so, what are the details? Please provide information below.		
JURISDICTION	YES/NO	IF YES, DESCRIBE
		Ontario recognizes that some businesses rely on certain types of wireless devices and display screen technologies in their day-to-day operations. To help these businesses stay competitive, Ontario has granted exemptions for the commercial use of certain devices, including a three-year exemption for two-way radios. This three-year period gives businesses time to re-evaluate their communications requirements and time to develop new hands-free solutions and protocols.
QC	No	
NB	No	
NS	No	
PE	No	
NL	No	
NT	Yes	As a result of the increased awareness of the issue, many large companies (the diamond mines, telephone company) now have policies in place for their employees, including the GNWT.
YT	N/A	
NU		

## 18. JURISDICTIONAL CONTACT INFORMATION

JURISDICTIONAL CONTACT INFORMATION ON DISTRACTED DRIVING ISSUES				
JURISDICTION	NAME	ORGANIZATION	EMAIL	TELEPHONE
BC				
AB	Jeanette Espie	Office of Traffic Safety, Alberta Transportation	<a href="mailto:jeanette.espie@gov.ab.ca">jeanette.espie@gov.ab.ca</a>	780.427.6588
SK	Shannon Ell	SGI	<a href="mailto:sekk@sgi.sk.ca">sekk@sgi.sk.ca</a>	306.775.6179
MB	Sheila Champagne	Manitoba Public Insurance	<a href="mailto:schampagne2@mpi.mb.ca">schampagne2@mpi.mb.ca</a>	204.985.1876
ON	Gordon Stewart	Ontario Ministry of Transportation	<a href="mailto:gordon.stewart@ontario.ca">gordon.stewart@ontario.ca</a>	416.235.3922
QC	Lyne Vézina	Société de l'assurance automobile du Québec	<a href="mailto:lyne.vezina@saaq.gov.qc.ca">lyne.vezina@saaq.gov.qc.ca</a>	418.528.4095
NB	Giselle Goguen	NB Department of Public Safety	<a href="mailto:giselle.goguen@gnb.ca">giselle.goguen@gnb.ca</a>	506.453.4398

<b>JURISDICTIONAL CONTACT INFORMATION ON DISTRACTED DRIVING ISSUES</b>				
<b>JURISDICTION</b>	<b>NAME</b>	<b>ORGANIZATION</b>	<b>EMAIL</b>	<b>TELEPHONE</b>
NS	Kent Speiran	NS Dept of Transportation & Infrastructure Renewal	<a href="mailto:speirakd@gov.ns.ca">speirakd@gov.ns.ca</a>	902.424.3510
PE	Audrey Mayhew	PE Dept of Transportation & Infrastructure Renewal	<a href="mailto:amayhew@gov.pe.ca">amayhew@gov.pe.ca</a>	902.368.5214
NL	Geoff Ewing	Government of Newfoundland and Labrador	<a href="mailto:gewing@gov.nl.ca">gewing@gov.nl.ca</a>	709.729.7201
NT	Al Kaylo	NWT Department of Transportation	<a href="mailto:al_kaylo@gov.nt.ca">al_kaylo@gov.nt.ca</a>	867.920.8633
YT	Tracy Erman	YK Department of Highways and Public Works	<a href="mailto:tracy.erman@gov.yk.ca">tracy.erman@gov.yk.ca</a>	867.667.8835
NU				