

C.A.D.D.



Citizens Against Distracted Driving

Deputy Chief Andre Comeau

Table of Contents

| | |
|--|----|
| Overview | 3 |
| Facts and Tips | 3 |
| The Law | 4 |
| What is a distraction..... | 4 |
| What is illegal and what is not under the new law?..... | 4 |
| What is the penalty? | 4 |
| Enforcement | 5 |
| Enforcement in Atlantic Provinces | 5 |
| Community Partnership..... | 6 |
| Statistics | 6 |
| Texting and Driving | 6 |
| Distracted Driving | 6 |
| The Economics of Distracted Driving..... | 7 |
| Motor Vehicle Act Part IV.01 Use of Various Devices While Driving..... | 8 |
| 265.01 | 8 |
| 265.02 | 9 |
| 265.03 | 9 |
| 265.04 | 9 |
| 265.05 | 10 |
| Tips for Drivers..... | 11 |
| FAQs about Distracted Driving | 11 |
| Cost..... | 13 |

C.A.D.D.

CITIZENS AGAINST DISTRACTED DRIVING

OVERVIEW

Citizens against Distracted Driving is an initiative of the Bathurst Police Force in an effort to increase public awareness and education towards distracted driving.

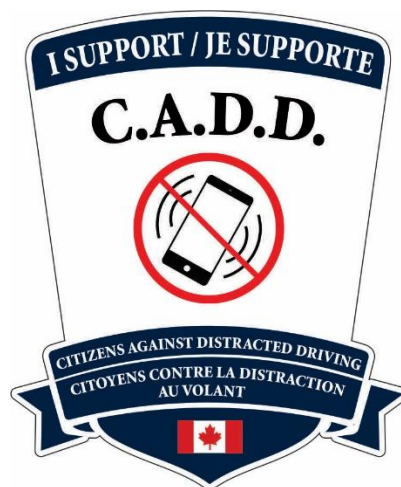
This program provides an opportunity for the citizens of our community to assist the police in reducing accidents related to distracted driving.

FACTS AND TIPS

Distracted driving is dangerous and has become a serious threat to public health and safety. Countless accidents are reported daily as a result of distracted driving.

“Drivers talking on cellphones are in many cases just as impaired as drunk drivers”.

Remember, it only takes a second.



Drivers, who endanger others because of any distraction, including hand-held and hands-free devices, may still be charged with Careless Driving under the Motor Vehicle Act or even Dangerous Driving under the Criminal Code of Canada.

THE LAW

What is a distraction?

The Canadian Council of Motor Transport Administrators (CCMTA) and the Strategy to Reduce Impaired Driving (STRID) have developed the following definition of driver distraction:

“Distracted driving is the diversion of attention from driving, as a result of the driver focusing on a non-driving object, activity, event, or person. This diversion reduces awareness, decision-making, or performance leading to increased risk of driver-error, near-crashes, or crashes. The diversion of attention is not attributable to a medical condition, alcohol/drug use and/or fatigue.”

What is illegal and what is not under the new law?

TELEPHONE CALLS: You cannot make or take calls when driving unless your telephone is hands-free or single-touch. If there is an emergency, you can call 911. Only while driving a police, fire or ambulance vehicle are you allowed to make or take a call.

TEXTING: You are not allowed. Ever.

PORTABLE GPS: You can look at your GPS screen, but you cannot program or handle it.

MP3 OR OTHER ENTERTAINMENT DEVICES: You can handle built-in devices. If you have a portable device plugged in while you drive, you can listen, but you cannot touch.

DISPLAY SCREEN: If it is built into your vehicle, it is fine. Otherwise, you cannot have it in your view.

TWO-WAY RADIO: You can use a two-way radio if driving for commercial purposes or driving a commercial vehicle (a bus or vehicle with gross mass of 4,500 kg or more), or involved in an emergency operation or search-and-rescue.

What is the penalty?

Drivers who violate the legislation can be fined \$172.50 and lose three points from their licence.

ENFORCEMENT

There should be no argument that a lot of individuals still use their hand held devices while driving, despite all publicity surrounding this violation under the Motor Vehicle Act.

Although our Department has made it a priority to enforce these violations, we remain a small part of the solution. Many police forces have turned to their community to solve issues and we should do the same. Involving our community to fight this problem will greatly enhance our chances of reducing or even eliminating it.

ENFORCEMENT IN ATLANTIC PROVINCES

Nova Scotia

\$233.95 to \$518.95 and 4 demerit points

4,841 convictions annually

New Brunswick

\$172.50 and 3 demerit points

1,389 convictions annually

Prince Edward Island

\$500 to \$1200 and 5 demerit points

215 convictions annually

COMMUNITY PARTNERSHIP

In order to advance education and awareness, partnering with the community would result in accomplishing our goals. There are many ways to involve our community but using technology would be the best approach to resolve this issue.

1. By creating a link on our webpage, where individuals can report distracted drivers, we would greatly advance education and awareness. People who witness violations can report the time, date, location and plate number of the vehicle. An official letter can then be sent by our department to the registered owner informing them of the violation. This should only be used as an education and awareness approach and not as an enforcement approach.
2. Creating stickers which would be handed out to individuals who support this program and who also pledge not to use their handheld devices while driving would also be a great way to advance education and awareness. Drivers who pledge not to use their devices can proudly display these stickers on their vehicle back window.

STATISTICS

Here are some surprising statistics on distracted driving found on the CAA website:

Texting and Driving

- Drivers who text are 23 times more likely to be involved in a crash event compared with non-distracted drivers. (Virginia Tech Transportation Institute, 2010)
- Checking a text for 5 seconds means that at 90km/h, you've travelled the length of a football field blind folded.
- About 26% of all crashes involved phone use, including hands-free phone use. (National Safety Council)
- Estimates indicate drivers using phones look at, but fail to see, up to 50% of the information in their driving environment. (National Safety Council, 2012)

Checking a text for 5 seconds means that at 90km/h, you've travelled the length of a football field blind folded.

Distracted Driving

- 80% of collisions and 65% of near crashes have some form of driver inattention as contributing factors. (National Highway Traffic Safety Administration, 2010)

- Driver distraction is a factor in about 4 million motor vehicle crashes in North America each year.
- 10% of fatal crashes, 18% of injury crashes, and 16% of all police-reported motor vehicle traffic crashes were distraction-affected crashes. (National Highway Safety Administration, 2015)
- Distraction was a factor in nearly 6 out of 10 moderate to severe teen crashes (AAA Foundation for Traffic Safety, 2015)
- Almost half of all people killed in teen (15-19 years old) distraction-affected crashes were teens themselves. (National Highway Traffic Safety Administration, 2013)

The Economics of Distracted Driving

- Economic losses caused by traffic collision-related health care costs and lost productivity are at least \$10 billion annually. That's about 1% of Canada's GDP (Government of Canada)



PART IV.01

USE OF VARIOUS DEVICES WHILE DRIVING

2010, c.33, s.2

265.01 The following definitions apply in this Part.

“display screen” Repealed: 2011, c.2, s.1

“hand-operated electronic device” means

- (a) a cellular telephone;
- (b) a two-way radio;
- (c) a portable global positioning system navigation device;
- (d) a portable entertainment device;
- (e) another electronic device that
 - (i) includes a telephone function, and
 - (ii) 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;
- (f) an electronic device that is not otherwise described in paragraph (a), (b), (c), (d) or (e) that
 - (i) is capable of transmitting or receiving e-mail or other text-based messages, and
 - (ii) 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
- (g) any other hand-operated electronic device prescribed by regulation; (*appareils électronique à commande manuelle*)

“operate” means to drive a motor vehicle and includes, without limiting the generality of the foregoing, to have the physical control of a motor vehicle that is stopped on the highway; (*conduire*)

“use”, in relation to a hand-operated electronic device, includes any of the following actions:

- (a) holding the device in a position in which it may be used, whether it is turned on or off;
- (b) operating any of the device’s functions;
- (c) communicating by means of the device with another person or another device, by spoken word or otherwise;
- (d) looking at the device’s display; and
- (e) taking any other action with or in relation to the device that is prescribed by regulation. (*utiliser*)

2010, c.33, s.2; 2011, c.2, s.1; 2014, c.21, s.1

265.02 No person shall operate a motor vehicle on a highway while using a hand-operated electronic device.

2010, c.33, s.2

265.03 Section 265.02 does not apply to a person

(a) who uses a hand-operated electronic device while operating a motor vehicle on a highway to call the local police department, the Royal Canadian Mounted Police, the fire department or an ambulance service about an emergency,

(b) who uses a hand-operated electronic device while operating an authorized emergency vehicle, on a highway, in the course of his or her duties or employment,

(c) who uses a hand-operated electronic device while operating a motor vehicle on a highway if it is configured and equipped to be used as a hands-free telephone, used in a hands-free manner, and used exclusively by voice commands or by touching the device only once to initiate or accept a telephone call and only once to end it, while all other actions in relation to the call are performed exclusively by voice commands,

(d) who uses a two-way radio while operating a motor vehicle on a highway for commercial purposes,

(d.1) who uses a two-way radio while operating a commercial vehicle as defined in section 265.1 on a highway,

(e) who uses a two-way radio while operating a motor vehicle on a highway if that person is the holder of a radio operator certificate issued under the *Radiocommunication Act* (Canada),

(f) who looks at a portable global positioning system navigation device's display for navigational purposes while operating a motor vehicle on highway, or

(g) who uses a hand-operated electronic device while operating a motor vehicle that is safely parked near the curb or outer edge of the shoulder of the highway.

2010, c.33, s.2; 2011, c.2, s.1; 2014, c.21, s.2

265.04(1) No person shall operate a motor vehicle on a highway if a display screen in the motor vehicle is visible to the driver.

265.04(2) Subsection (1) does not apply to a person

(a) who is operating an authorized emergency vehicle on a highway,

(b) who is operating a taxi on a highway,

(c) who is employed by a telecommunications enterprise and who, in the course of his or her duties or employment, operates on a highway a motor vehicle with a computer screen that is visible to the driver and monitors service levels and disruptions, or

(d) who is operating a motor vehicle on a highway with a built-in display screen that is visible to the driver if the screen is installed by the manufacturer of the motor vehicle or according to the manufacturer's instructions and the screen meets any of the following criteria:

(i) displays information on the condition, the status of various systems or in the immediate environment of the motor vehicle;

(ii) displays information on road or weather conditions; or

(iii) functions as a global positioning system navigation device.

2010, c.33, s.2; 2011, c.2, s.1

265.05 The Lieutenant-Governor in Council may make regulations

(a) Repealed: 2014, c.21, s.3 (b) prescribing other electronic devices for the purposes of the definition “hand-operated electronic device” in section 265.01;

(c) prescribing other actions for the purposes of the definition “use” in section 265.01;

(d) Repealed: 2011, c.2, s.1 (e) Repealed: 2014, c.21, s.3 (f) exempting, with or without conditions, certain classes or types of devices or motor vehicles, or certain classes of persons, from the application of this Part or any provision of it.

2010, c.33, s.2; 2011, c.2, s.1; 2014, c.21, s.3

TIPS FOR DRIVERS

- It can wait.
- No call or text is so important it's worth risking your life. Let calls go to voicemail and ignore your text messages while driving.
- Pull over to make or receive a call.
- Plan to avoid distraction.
- Turn your cellphone off or place it in the trunk of your car so you won't be tempted to talk, email or text when you're on the road.
- Keep your hands off.
- Hands-free means a Bluetooth or wired headset or speakerphone. The device must be securely attached to the car — it can't be in your lap or loose on the seat beside you. If you're using a headset or headphones, remember that drivers can only wear them in one ear. Only motorcyclists may have an earpiece in both ears

FAQs about Distracted Driving

Q: Can I call or text when I'm stopped at a red light?

A: The law applies whenever you're in control of the vehicle — even when you're stopped at a light or in bumper-to-bumper traffic. Studies show that drivers who are talking on a cellphone lose about 50 per cent of what is going on around them, visually. When you're stopped at an intersection or slowed in traffic, you're still driving.

Q: If I'm a good driver, can I multi-task?

A: Drivers, even really good ones, need to concentrate on the road at all times because the unexpected — like when a pedestrian crosses the street without warning or cars quickly pass or merge — can happen at any time.

Q: Is it okay to use some of the features on my phone while driving?

A: Under the law, drivers can't use any hand-held electronics while driving — that includes checking voice mail, making music selections, programming a GPS or using social media. In fact, you can't even hold the device in your hand while operating a vehicle. Ask a passenger to operate the device for you so you can keep your focus on the road.

Q: Are emergency calls okay?

A: While the law exempts drivers needing to call 9-1-1 to reach the police, fire department or ambulance service about an emergency, it does not apply to personal situations — it has to be a

real emergency. Your family and friends may have something urgent to tell you in a call or text, but your safety is always more important to them.

Examples of hand-held devices include:

- iPods and MP3 players
- GPS
- cell phones
- smart phones
- laptops
- DVD players

Q: What about hands-free devices?

A: You can use any device that you do not touch, hold or manipulate while driving, other than to activate or deactivate it. Actions like dialing or scrolling through contacts are not allowed.

Can I use it?

A cell phone with an earpiece, headset or Bluetooth device using voice-activated dialing.

Yes - only to activate or deactivate a “hands-free” function, and only if the device is mounted or secured.

Actions like dialing or scrolling through contacts are not allowed.

A GPS screen

Yes - provided the GPS is mounted on the dashboard or windshield.

You must input the required information before you start driving.

A portable media player plugged into the vehicle’s sound system.

Yes - but you must activate the playlist before driving

Display screens that are built into the vehicle and used for safety reasons.

Yes

COST

- Creating link on our webpage should not entail any cost, since this can be done internally.
- Cost to create 500 stickers is \$414.00.
- There is no other cost, other than managing the program and this can be accomplished by our crime prevention officer.
- If this program becomes too overwhelming for the Crime Prevention Officer, we can look at recruiting volunteers.

Note: Until the link to our webpage is created, citizens can report to the department email which will be provided in the near future.

