

*June 22, 2011*

## **New distracted driving law comes into effect September 1**

*Edmonton ....* The most comprehensive distracted driving legislation in Canada will soon be implemented in our province. Alberta's new distracted driving law will come into effect on September 1.

"This legislation is another step forward in our traffic safety efforts and an important addition to our overall traffic safety strategy," said Minister of Transportation Luke Ouellette. "I am confident this new law, which is practical and enforceable, will help to keep Albertans safer while on the road and that's something we can all support. We all have a role to play in traffic safety and I encourage Albertans to start practising safer driving habits today."

To help Albertans prepare for the new law, the government will run a public education and awareness campaign that will provide information about the distracted driving law and how to comply with it. Advertising will run in newspapers, radio and online.

"During my 25-year career with the Calgary Police Service, I saw countless collisions and the often devastating consequences," said Art Johnston, MLA, Calgary-Hays and sponsor of the bill. "I have been advocating for this legislation and am pleased to see Alberta's new distracted driving law come into effect. I would like to thank law enforcement and our traffic safety partners for their support."

The new law prohibits the use of hand-held cellphones for talking or texting, the use of other electronic devices, reading, writing and personal grooming while driving. Drivers can still use cellphones or radio communication devices, but only if they use them in a hands-free or voice-activated manner. This means the device is not held in the driver's hand and is activated by voice or a single touch to the device. Drivers may use a hand-held citizen's band (CB) or two-way radio when escorting oversized vehicles, to contact one's employer, or when participating in search, rescue and emergency management situations.

"This legislation gives law enforcement agencies in Alberta an additional tool to help make our roads safer," said Frank Oberle, Solicitor General and Minister of Public Security. "We are sending an extremely strong traffic safety message to motorists across the province: When you're in your vehicle, your focus must be on driving."

Several international studies show that 20 to 30 per cent of all collisions involve driver distraction, and distracted drivers are three times more likely to be involved in a collision than attentive drivers.

“This legislation is an example of Alberta’s firm commitment to driver safety,” says Verlyn Olson, Minister of Justice and Attorney General. “This legislation will raise awareness about the importance of distraction free driving, making roadways safer for all Albertans.”

Frequently asked questions and answers about the new law, a poster, fact sheet and more are available on the Alberta Transportation website:

[www.transportation.alberta.ca/distracteddriving.htm](http://www.transportation.alberta.ca/distracteddriving.htm)

The *Traffic Safety (Distracted Driving) Amendment Act 2010* and accompanying distracted driving regulation are available on the Alberta Queen’s Printer website:

[www.qp.alberta.ca](http://www.qp.alberta.ca)

The Alberta government is working to build a better Alberta by fostering economic growth, strengthening our health and education systems, investing in infrastructure, supporting safe and strong communities and ensuring a clean and healthy environment.

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## **Backgrounder: Questions and answers**

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## Questions and answers: Alberta's new distracted driving law

Starting September 1, 2011, Alberta's distracted driving law is in force and police can start issuing tickets for distracted driving.

### Under the new law, what activities are not allowed while driving?

- talking on a hand-held cellphone
- texting and/or e-mailing
- using electronic devices like laptop computers, video games, cameras, video entertainment displays and programming portable audio players (e.g., mp3 players)
- manually entering information on GPS units
- reading printed material like a book or a magazine
- writing, printing or sketching
- personal grooming like combing your hair, applying makeup or brushing your teeth
- using a citizen's band (CB) or two-way radio (some exemptions apply)

### What activities are allowed while driving?

- using a cellphone in hands-free mode - this means the device is not held in the driver's hand and is activated by voice or a single touch to the device
- using an earphone — if it is used in a hands-free or voice-activated manner
- drinking beverages, such as coffee, water or pop
- eating a snack
- smoking
- talking with passengers
- listening to a portable audio player — as long as it is set up before you begin driving
- using the following:
  - a GPS navigation system — as long as the system is affixed to the vehicle and programmed before you begin driving or the system is voice activated. You cannot hold the unit or manually enter information while driving.
  - a collision avoidance system
  - a gauge, instrument, device or system that provides information about the vehicle's systems or the vehicle's location
  - a dispatch system for transporting passengers
  - a logistical transportation tracking system that tracks vehicle location, driver status or the delivery of goods for commercial purposes

- calling emergency services, such as 911 with a hand-held cellphone
- using a hand-held citizen's band (CB) or two-way radio when escorting oversized vehicles, to contact one's employer, or when participating in search, rescue and emergency management situations.

**Can I use a hands-free phone or radio communication device?**

Yes. Drivers can still use cellphones or radio communication devices, **but only** if they use them in a hands-free or voice-activated manner. This means the device is not held in the driver's hand and is activated by voice or a single touch to the device. Drivers may use a hand-held citizen's band (CB) or two-way radio when escorting oversized vehicles, to contact one's employer, or when participating in search, rescue and emergency management situations.

**Will I be able to send a text message or comb my hair when I am stopped at a red light?**

No. You cannot engage in distracting activities when stopped at a red light, delayed in traffic or waiting for a train. You are still driving and engaged in a traffic situation. To comply with the law, drivers need to be legally parked.

**Does this law apply on all roadways in the province?**

Yes, it applies to all roads in both urban and rural areas. The *Traffic Safety Act* uses the term *highway* to refer to any urban or rural street, road, parking lot, or alley, etc. where the public is normally permitted to drive, including adjacent sidewalks and ditches.

**Can I park on the shoulder of a highway to make a call?**

Under existing laws, vehicles are not permitted to park on the shoulder of a provincial highway outside of an urban area except in an emergency. This is in place to ensure safety on our roads. If you have to make a phone call, do so at a rest area or when you stop for gas. Alternately, have your passenger make the call.

Municipal parking bylaws vary from place to place. You will need to consider the parking bylaws for that area before pulling over.

**To what types of vehicles will this law apply?**

It will apply to all vehicles as defined by the *Traffic Safety Act*, which includes cars, motorcycles, motor homes, truck tractors, farm vehicles and bicycles.

**What is the fine for distracted driving?**

Under the law, drivers engaged in any of the restricted activities can be charged even if their driving performance appears unaffected. The fine is \$172 for this offence. There are no demerit points.

Drivers could face additional charges if they commit other violations such as running a red light or making an improper lane change. This legislation also complements the current driving without due care and attention law, a serious offence with a fine of \$402 and six demerit points.

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