

Canadian Association of Chiefs of Police Traffic Committee



Participating in
The International Conference on
Distracted Driving

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LEGISLATION, REGULATION AND ENFORCEMENT FOR DEALING WITH DISTRACTED DRIVING

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Officer In Charge Operational Policy

DISTRACTED DRIVING

Magnitude

- Motor Vehicle Collision data in Canada does not record specific driver distractions
- Collision statistical data does not track internal or external vehicle technology involved in collisions
- A lack of detailed data prevents defining the magnitude of the problem
- The lack of detailed data prevents an intelligence led solution
- Lack of data creates the perception by the public that Enforcement efforts are not directly or consistently associated with safety

DISTRACTED DRIVING Legislation

- Provincial /Territorial Traffic Safety Legislation universally regulates :
 - Driver Inattention i.e. (Drive without Due Care and Attention)
 - Strict liability offences i.e. Fail to Yield (moving offences)
- Newfoundland / Labrador has enacted Legislation prohibiting hand held cellular telephone use while driving.
- The legislation excludes other devices such as two-way radio, text messaging devices, portable navigation devices and hands free cellular communications
- Case law requires investigators use warranted searches of telephone records to prove use of the device
- The practical application of this Legislation by Law Enforcement agencies has become a labor intensive complicated process.

DISTRACTED DRIVING

Current Practices

- Current Legislation provides for the effective prosecution of offences involving Driver Inattention
 - Careless Driving offences are used successfully in most Jurisdictions to prosecute distracted driving
- Moving offences can be observed and prosecuted
 - Vehicle maneuvers / failure to use signals / right of way offences
 - May be intentional or caused by distraction
 - Strict liability offences prosecuted on traffic violation tickets
- Detecting distractions within the vehicle is very difficult
 - Restrictions to observation of driver / vehicle interior
 - Intrusive investigative techniques (search warrants) required
 - Limited evidence available (no record of use for entertainment or navigational systems)

DISTRACTED DRIVING

Applied research

- Visual / Cognitive distractions occur much more frequently than drivers are aware
 - 13 seconds to place a cellular call
 - 25 seconds to tend to a child
 - 7.6 seconds to reach and pick up an item
- Trained / Skilled drivers reaction times reduce to Novice level when distracted verbally
- Vehicle travels 6 vehicle lengths in 1 second at 110 KmH (30m/s) or 1 football field in 3.5 seconds

DISTRACTED DRIVING

Next Steps

- Research required to determine the magnitude of the problem
- Multidisciplinary approach to public safety solution
 - Public Education
 - Legislation / Regulation
 - Coordinated Safety Enforcement
 - Ongoing Evaluation – analysis to ensure best practice maintained
- The CACP stands ready to participate in a multidisciplinary approach to achieve an intelligence led solution to Distracted Driving

Questions ?

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