

# 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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# 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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