Alberta’s Distracted Driving Legislation

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Agenda

• Background – the Alberta Distracted Driving Legislation
• Issue Identification
• Research and Analysis
• Options development
• Decision making
• Implementation
• Results, Evaluation
Background

• Transportation Safety Services Division
  – Operational Division
    • Driver Programs (fitness, monitoring, education, examination)
    • Carrier Programs (operating authorities, performance auditing)
    • Dangerous Goods, Vehicle and Rail Safety
    • Transport Engineering (weights and dimensions, heavy load corridors)
  
  • Office of Traffic Safety (Traffic Safety Plan, education, strategies)
  • Business Intelligence / Policy unit (issues & project management)
Why we do what we do....

- 2004 – McDermid Report 387 fatalities
- 2006 – Alberta Traffic Safety Plan 453 fatalities
  - With annual operational plans through 2010

- In any given year, the number of people killed on Alberta roads is roughly equivalent to the population of the average Alberta Elementary School.
Issue identification

• Problem

  – 90% of collisions are driver error related.
  – Substantial cell phone use in Alberta while driving
  – Distraction a major issue, with performance degradation similar to impaired driving
  – Issue relates to multitasking, over and above the complex task of operating a vehicle safely.
  – Stakeholders pressing for intervention
  – National / international rush to handheld cell phone ban.
### Issue identification

**Chart 16**
Canada Cell Phone Use by Province/Territory - 2006-2007

<table>
<thead>
<tr>
<th>Province/Territory</th>
<th>Percentage of Drivers Using Cell Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newfoundland &amp; Labrador</td>
<td>4.2</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>4.2</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>1.7</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>2.1</td>
</tr>
<tr>
<td>Quebec</td>
<td>3.2</td>
</tr>
<tr>
<td>Ontario</td>
<td>6.8</td>
</tr>
<tr>
<td>Manitoba</td>
<td>4.4</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>2.8</td>
</tr>
<tr>
<td>Alberta</td>
<td>10.7</td>
</tr>
<tr>
<td>British Columbia</td>
<td>4.0</td>
</tr>
<tr>
<td>Yukon</td>
<td>3.8</td>
</tr>
<tr>
<td>Northwest Territories</td>
<td>4.7</td>
</tr>
<tr>
<td>Canada</td>
<td>5.5</td>
</tr>
</tbody>
</table>

#### Distraction and Odds Ratio

<table>
<thead>
<tr>
<th>#</th>
<th>Distraction</th>
<th>Odds Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reaching for moving object</td>
<td>8.8</td>
</tr>
<tr>
<td>2</td>
<td>Insect in vehicle</td>
<td>6.4</td>
</tr>
<tr>
<td>3</td>
<td>Looking at external object</td>
<td>3.7</td>
</tr>
<tr>
<td>4</td>
<td>Reading</td>
<td>3.4</td>
</tr>
<tr>
<td>5</td>
<td>Applying make-up</td>
<td>3.1</td>
</tr>
<tr>
<td>6</td>
<td>Dialing hand-held device</td>
<td>2.8</td>
</tr>
<tr>
<td>7</td>
<td>Inserting/retrieving CD</td>
<td>2.3</td>
</tr>
<tr>
<td>8</td>
<td>Eating</td>
<td>1.6</td>
</tr>
<tr>
<td>9</td>
<td>Reaching for non-moving object</td>
<td>1.4</td>
</tr>
<tr>
<td>10</td>
<td>Talking/listening to a hand-held device</td>
<td>1.3</td>
</tr>
<tr>
<td>11</td>
<td>Drinking from open container</td>
<td>1.0</td>
</tr>
<tr>
<td>12</td>
<td>Other personal hygiene</td>
<td>0.7</td>
</tr>
<tr>
<td>13</td>
<td>Adjusting radio</td>
<td>0.6</td>
</tr>
<tr>
<td>14</td>
<td>Passenger in front seat</td>
<td>0.5</td>
</tr>
<tr>
<td>15</td>
<td>Passenger in rear seat</td>
<td>0.4</td>
</tr>
<tr>
<td>16</td>
<td>Combing hair</td>
<td>0.4</td>
</tr>
<tr>
<td>17</td>
<td>Child in rear seat</td>
<td>0.3</td>
</tr>
</tbody>
</table>

Source: NHTSA, April 2006
Research and Analysis

• Started in 2007
  – Research texts reviewed and analyzed
    • Large body of work reviewed
  – National and international legislation
    • Primarily focused on cell phone usage ban while driving
  – Interviewed jurisdictional and subject matter experts
  – Consulted stakeholders
    • “Other” distractions were a major cause for concern
    • Engagement of enforcement SME group from the start.
  – Looked for pre/post analyses
Research and Analysis

• Started in 2007
  – Examined the “frameworks” around the various legislative initiatives
  – Looked for failure modes, in design, and implementation
  – Analysis of why Alberta’s existing framework wasn’t working (“driving without due care and attention”) ($402 fine, 6 demerits)
  – Published the research report late 2007, and took the feedback

“Despite cell phone bans in over 45 countries, there is no available research suggesting that such legislation has contributed to a reduction in the number of collisions. Internationally, those jurisdictions who continue to run post-legislation public awareness campaigns and who have strict, publicized enforcement campaigns tend to have better, longer-term compliance. However, compliance with cell phone legislation in general is not strong.”

Alberta Transportation “Distracted Driving and Cell Phone Use while Driving, Sept 2007"
Options Development

• Spring 2008
  – Angus Reid poll showed 89% public support for intervention
  – Strathcona County ban on handheld cell phones (jurisdiction)
  – Private member’s Bill 204 (GDL issue, narrow scope)

• Sept 2008 – Standing Committee on the Economy
  – Reviewed private member's Bill 204, the Traffic Safety (Hand-Held Communication Devices) Amendment Act, 2008, which proposed to prohibit the use of hand-held communication devices while operating a motor vehicle.
  – Recommended that Bill 204 not proceed and that an offence of distracted driving be created either by legislation or regulation.

• Oct 2008 - Project Team formed, led by Office of Traffic Safety
Decision Making

• Minister’s Report – March 2009
  – Issue: legality of “including, but not limited to” section
  – Options: “distracted driving” and “aggravated distracted driving”

• Agenda and Priorities Approval – September 2009
  – Public debate ignited, “nanny state”, “privilege/rights” issue
  – Debate over sustainability of ban
  – Cell phone vs. distracted driving ban
  – Legislation drafted, but in limbo," shelved”
  – Simplified approach, no “aggravated”
Decision Making

• Bill 16 – April 2010
  – Very short notice to get it through Legislative Review Committee, onto the Order Paper.
  – First reading at the very end of the spring session

• April – November 2010
  – Huge public debate
  – “Comprehensive approach”
  – “Practical, effective, enforceable”
  – Fine, fine + demerits analysed, critical exemptions reviewed and considered
  – Risk analysis and mitigation strategies, gradual acceptance
  – Developed house amendment to deal with exemptions

• Fall 2010 – “Traffic Safety (Distracted Driving) Amendment Act”
Implementation

• Target Date for enforcement – mid 2011
  – Communications Plan
  – Enforcement Plan
  – Education and awareness materials
  – Evaluation and measurement plan

• Implementation delayed
  – Issues over wording of offence in Provincial Offences Procedures Act and Regulations
  – Delayed “in force”
  – Significant effort with Enforcement Subject Matter Enforcement group to resolve
Implementation

• September 1, 2011
  – In force
  – Significant media exposure
  – Office of Traffic Safety Project Team took on the rollout, the public reaction, education/awareness.

• September 15, 2011
  – OTS project team handover to line unit responsible for ongoing delivery
  – OTS moves to re-evaluation / performance measuring role
Results / Evaluation / Performance Measurement

- Evaluation plan initiated
  - Looking at:
    - Observed cell phone use
    - Enforcement action
    - Collision data
    - Collision root cause analysis

- Review administrative issues at 6 months
  - Driver abstract inclusion
  - Issue of repeat offenders
  - Identify failure modes
The 2011 results

Observed Cell Phone use (%)

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>10.7</td>
</tr>
<tr>
<td>2008</td>
<td>4.4</td>
</tr>
<tr>
<td>2009</td>
<td>4.9</td>
</tr>
<tr>
<td>2010</td>
<td>4.9</td>
</tr>
<tr>
<td>2011</td>
<td>0.9</td>
</tr>
</tbody>
</table>
The Traffic Safety Plan Calendar

- January: Intersection Safety
- February: Distracted Driving
- March: Occupant Restraints
- April: Speed
- May: Young Drivers
- June: Commercial Vehicle Safety
- July: Motorcycle Safety
- August: Impaired Driving
- September: Back to School
- October: Occupant Restraints
- November: Pedestrian Safety
- December: Impaired Driving
Odds Ratio

• To interpret odds ratios, a value of 1.0 indicates no significant danger above normal, baseline driving.

• An odds ratio less than 1.0 indicates that this activity is safer than normal, baseline driving or creates a protective effect.

• An odds ratio greater than 1.0 indicates that this activity increases one’s relative risk of a crash or near-crash by the value of the odds ratio.

• For example, if reading while driving obtained an odds ratio of 3.0, then this indicates that a driver is three times more likely to be involved in a crash or near-crash while reading and driving than if he or she was just driving normally.