

AUGUST 2011

Bill 16 - Distracted Driving Legislation

Distracted Driving Law in Effect
September 1, 2011

Highlights:

- Restricts drivers from:
 - using hand-held cell phones
 - texting or e-mailing
 - using electronic devices like laptop computers, video games, cameras, video entertainment displays and programming portable audio players (e.g., MP3 players)
 - entering information on GPS units
 - reading printed materials in the vehicle
 - writing, printing or sketching, and
 - personal grooming
- Complements the current driving without due care and attention legislation
- Applies to all vehicles as defined by the *Traffic Safety Act*, including bicycles
- Applies to all roads in both urban and rural areas of the province
- The fine for this new offence is \$172

The most frequently asked question regarding the new law is whether pets are specifically addressed by the law. Here's the answer! In situations where the driver becomes too involved with their pet, police could reasonably argue that the distraction is comparable to the specifically banned activities of reading, writing and grooming and lay a charge.

Also, existing legislation - *Traffic Safety Act* 115(2)(i) - allows police to charge a driver who permits anything, including a pet, to occupy the front seat of the vehicle such that it interferes with the driver's access to the vehicle controls and the safe operation of the vehicle. Further, *Traffic Safety Act* 115(2)(j) - allows police to charge a driver who permits anything, including a pet, to cause any obstruction to the driver's clear vision in any direction. We encourage the continued use of these existing provisions.

If a driver violates a new distracted driving provision and an existing provision in the *Traffic Safety Act*, it would be up to the discretion of the officer as to if one or both charges would apply.

For the safety of both pets and road users, it is best if pets are secured in an appropriate pet carrier.

FAQs. <http://www.transportation.alberta.ca/distracteddriving.htm>

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