

RISK INSIGHTS

HANDHELD DEVICE USE AND THE LAW

All Canadian provinces and territories have laws on the use of handheld devices while operating motor vehicles. Distracted driving by use of electronics is a form of impairment. Across Canada, it's illegal to touch and hold devices while driving. Handheld devices include, but are not limited to, mobile phones, tablets, laptops and music players. Examples of prohibited activities include texting, dialing, checking emails, selecting music, surfing on applications and more. The penalties are fines, demerit points and license suspensions as specified by your provincial legislation.

THE BEST WAY TO AVOID A PENALTY IS BY SIMPLY NOT USING HANDHELD DEVICES BEHIND THE WHEEL.

How can you use technology responsibly?

There are lawful ways to use technology while operating motor vehicles, such as:

- Calling 911 in emergency situations while you're safely pulled over with the hazard lights turned on.
- Using hands-free technology, such as Bluetooth, to control devices through voice commands, steering wheel controls and earpieces.
- Viewing a pre-set and mounted Global Positioning System (GPS) for maps and directions.
- Viewing screens that display the status of systems associated with your motor vehicle, such as collision avoidance systems, instruments and gauges.

Risk management practices

In addition to complying with the law, you can develop your own fleet safety program and risk management practices for your organization.

Enforce a strict policy on prohibiting the use of handheld devices while operating motor vehicles, as well as equipment and machinery.

Consider highlighting the following points in your policy, training sessions and other material:

- Pre-plan your route and designate stops where you can lawfully park to safely check your voicemails, text messages and emails.
- Store away handheld devices before operating motor vehicles, equipment and machinery.
- Avoid talking on the phone, even with hands-free technology, in hazardous situations, poor weather conditions and in areas you're unfamiliar with.
- Don't drive when you're stressed or emotional as your mental state can amplify distracted driving, especially when your duty involves using hands-free technology.
- Keep both hands on the wheel and eyes on the road.

Educate staff on your provincial legislation and provide training on proper driving protocols to eliminate driver distractions. Keep in mind that talking on the phone through hands-free technology can still be a major source of distraction.

Above all other duties, the primary task of a driver is to drive safely.

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Laws and penalties by province/territory

- British Columbia: **Use of electronic devices while driving**
- Alberta: **Distracted driving legislation**
- Saskatchewan: **Driver distraction and fatigue**
- Manitoba: **New penalties for distracted driving**
- Ontario: **Distracted driving**
- Québec: **Distractions at the wheel**
- Nova Scotia: **Road safety - cell phone**
- Prince Edward Island: **No cell phones or texting**
- Newfoundland and Labrador: **Highway Traffic Act** (Section 176.1)
- New Brunswick: **Driver distraction**
- Yukon: **What if you're caught driving while distracted**
- Northwest Territories: **Distracted driving**
- Nunavut: **Traffic Safety Act** (Section 239.1)

For more information on making your business safer, contact our Risk Services team at **1.833.692.4111** or visit us at **www.northbridgeinsurance.ca**.

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