



## 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....

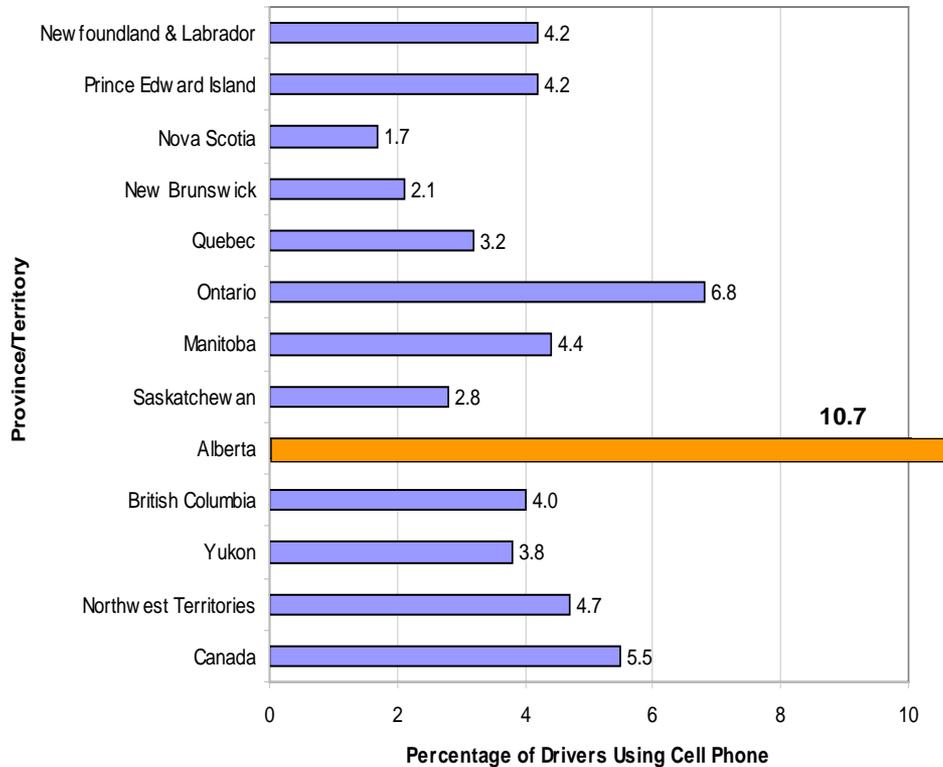
- 2004 – McDermid Report 387 fatalities
  - 2006 – Alberta Traffic Safety Plan 453 fatalities
  - 2007 – 3 year Traffic Safety Action Plan 458 fatalities
    - With annual operational plans through 2010
  - 2010 – Plan renewal “TSP – 2011-2015” 344 fatalities
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- *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



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

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 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

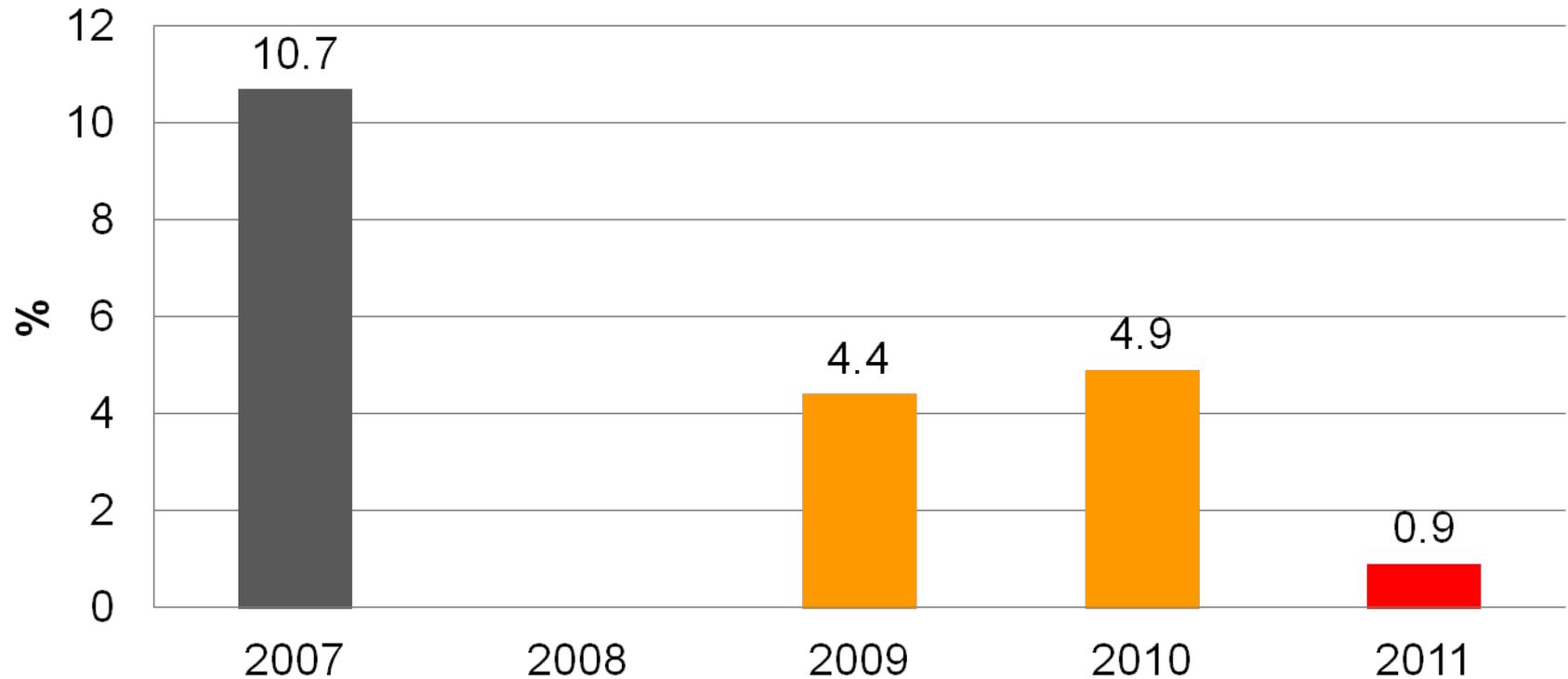
- September 1, 2011
  - In force
  - Significant media exposure
  - Office of Traffic Safety Project Team took on the rollout, the public reaction, education/awareness.
- September 15, 2011
  - OTS project team handover to line unit responsible for ongoing delivery
  - OTS moves to re-evaluation / performance measuring role

# Results / Evaluation / Performance Measurement

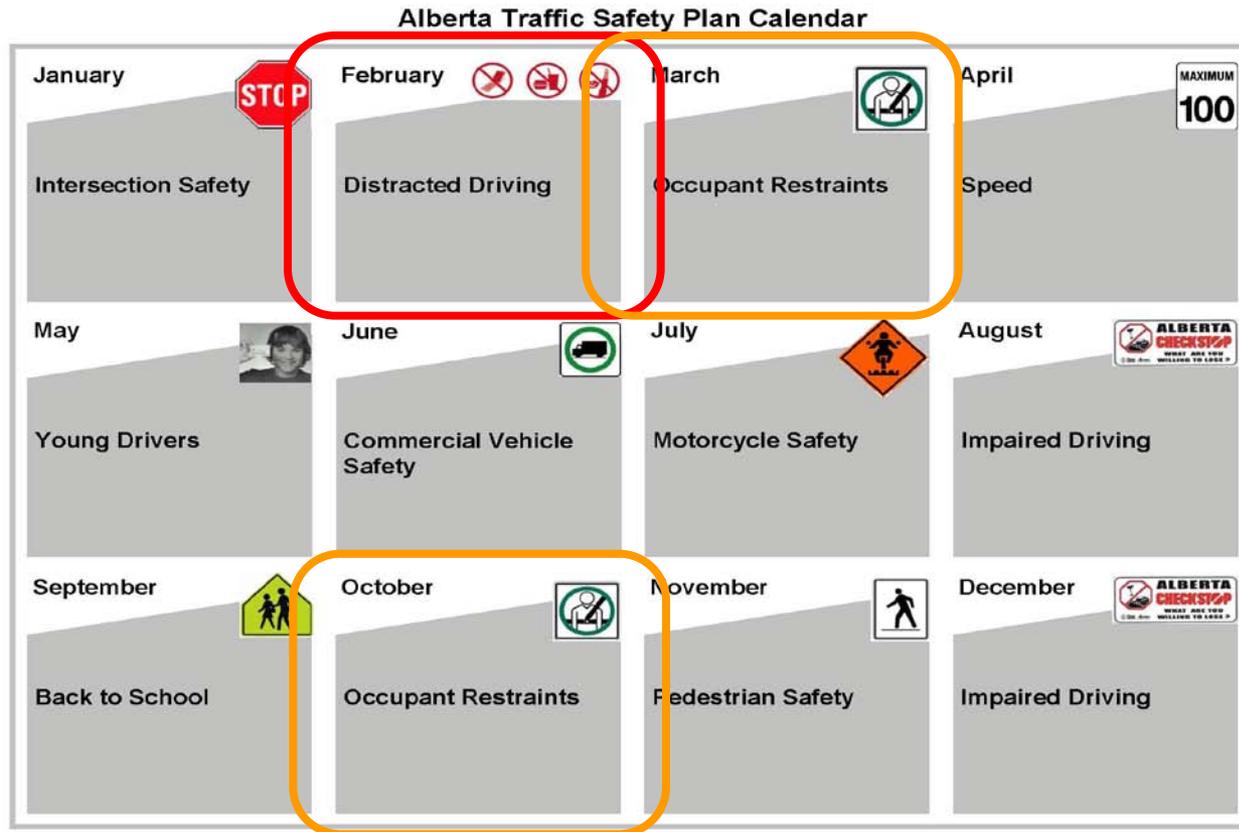
- Evaluation plan initiated
  - Looking at:
    - Observed cell phone use
    - Enforcement action
    - Collision data
    - Collision root cause analysis
- Review administrative issues at 6 months
  - Driver abstract inclusion
  - Issue of repeat offenders
  - Identify failure modes

# The 2011 results

## Observed Cell Phone use (%)



# The Traffic Safety Plan Calendar



# 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.