

# MEMORANDUM

**TO:** All Staff

**DATE:** October 14, 2009

**FROM:** Gerry Mitchell, Director for Health and Safety

**SUBJECT:** Bill 118, Hand-Held Device Ban for Drivers

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As you are probably aware, Ontario's ban on hand-held devices while driving will take effect on October 26, 2009.

The new law will make it illegal for drivers to talk, text, type, dial or email using hand-held cell phones and other hand-held communications and entertainment devices (even at stop lights).

Studies show that a driver using a cell phone is four times more likely to be in a crash than a driver focused on the road. Other studies show that dialing and texting carries the highest degree of risk of all cell phone-related activities.

Under Ontario's new law, fines of up to \$500 can be levied against distracted drivers who text, type, email, dial, or chat using a prohibited hand-held device. Ontario joins more than 50 countries worldwide and a growing number of North American jurisdictions that have similar distracted driving legislation including Quebec, Nova Scotia, Newfoundland and Labrador, California and New York.

The new law applies only to hand-held wireless communications and hand-held electronic entertainment devices. This means that after October 26 drivers wishing to use a cell phone must only use wireless devices that can be used in a "hands-free" manner.

Some wireless devices require that users push a button to activate and/or deactivate the device's "hands-free" function. This activity is permitted.

Drivers will not be permitted to use hand-held communication and entertainment devices when driving, with the following exceptions:

- Calling 9-1-1 in an emergency situation
- When the driver has safely pulled off the roadway and is stationary or is lawfully parked.

It should be noted that even with the use of a hands-free system, cell phone use while driving is still a driving distraction and is not recommended by Peto MacCallum Ltd. As per the Peto MacCallum Ltd Safety Manual, Section 4.4, cell phone use (in hands free mode) must be restricted while operating a vehicle on company business. As a general rule, our policy limits cell phone use (in hands free mode) to less demanding conversations such as making appointments, confirming locations and meeting times, etc. No emotional or thought provoking conversations should occur. For further recommendations on cell phone use, please refer to the Safety Manual.