

2002 BILL 204

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Second Session, 25th Legislature, 51 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 204**

**TRAFFIC SAFETY (CELLULAR PHONE)  
AMENDMENT ACT, 2002**

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MRS. GORDON

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 204

2002

### TRAFFIC SAFETY (CELLULAR PHONE) AMENDMENT ACT, 2002

(Assented to \_\_\_\_\_, 2002)

HER MAJESTY, by and with the advice and consent of  
the Legislative Assembly of Alberta, enacts as follows:

Amends RSA  
2000 cT-6

**1 The *Traffic Safety Act* is amended by this Act.**

**2 Section 10(1) is amended by striking out “sections 11 and 73” and substituting “sections 11, 73 and 115.1”.**

**3 The following is added after section 115:**

Prohibition on  
cellular phones  
and  
communication  
devices

**115.1(1)** In this section, “hands-free feature” means a feature that enables a person to fully operate a cellular phone, car phone, portable computer or fax machine without any manual manipulation and includes a voice activated or speaker system.

(2) Except as provided in subsections (3) and (4), no person shall use a cellular phone, car phone, portable computer or fax machine while driving a motor vehicle on a highway.

(3) Subsection (2) does not apply to a person driving an emergency vehicle while in the lawful performance of that person’s duties.

(4) Nothing in subsection (2) prevents a person from

(a) using a cellular phone or car phone to report an

emergency, a traffic accident, an unlawful act or unsafe road conditions to the appropriate authorities, or

- (b) using the equipment listed in that subsection if the person uses a hands-free feature to operate the equipment and does not use a listening device that covers or provides sound to both ears.

**4 Section 157(1) is amended in clause (a) by adding “115.1(2),” after “115(2),”.**

**5 This Act comes into force on Proclamation.**

## Explanatory Notes

**1** Amends chapter T-6 of the Revised Statutes of Alberta, 2000.

**2** Section 10(1) presently reads:

*10(1) The Registrar may publish reports, statistics or other information arising out of matters referred to in sections 11 and 73 for the purposes of informing the Minister and the public as to the nature and causes of accidents.*

**3** Prohibition on cellular phones and communication devices.

**4** Section 157(1)(a) presently reads:

*157(1) A person is guilty of an offence who contravenes or fails to comply with one or more of the following:*

- (a) *section 51, 52(1), 53, 54(1), 61(2), 65, 66(5), 68(2), 69(1), 69(2), 69(3), 69(4), 69(5), 69(6), 70, 71, 76(1), 80, 90(3), 90(6)(b), 94, 111, 115(2), 119(1), 120(2), 120(3), 121, 123(2), 123(3), 131(1), 137, 138, 140(1), 145, 147, 166(2), 166(3), 166(4), 173(4), 176(2), 183 or 188;*

**5** Coming into force.