

2008 Bill 204

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First Session, 27th Legislature, 57 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 204**

**TRAFFIC SAFETY (HAND-HELD COMMUNICATION  
DEVICES) AMENDMENT ACT, 2008**

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MR. JOHNSTON

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 204*  
*Mr. Johnston*

## **BILL 204**

2008

### **TRAFFIC SAFETY (HAND-HELD COMMUNICATION DEVICES) AMENDMENT ACT, 2008**

*(Assented to \_\_\_\_\_, 2008)*

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 hand-held communication devices**

**115.1 (1)** In this section,

- (a) “hand-held communication device” means a cellular phone or any other type of communication device that provides for telephone communications, text messaging, e-mail or internet access;
- (b) “hands-free feature” means a feature that enables a person to fully operate a hand-held communication device without any manual manipulation;

(c) “novice driver” means a novice driver as defined in section 90.

(2) Except as provided in subsection (3), no person shall use a hand-held communication device while driving a motor vehicle on a highway.

(3) Subsection (2) does not apply to a person using a hand-held communication device who is

- (a) using a hands-free feature to operate the device and neither the hands-free feature nor the device is inserted in both ears,
- (b) driving an emergency vehicle while in the lawful performance of that person’s duties, or
- (c) reporting unsafe road conditions or an emergency, accident or unlawful act to the appropriate authorities.

(4) The exception in subsection (3)(a) does not apply to novice drivers.

**4 Section 157(1) is amended in clause (a) by adding “115.1,” 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 hand-held 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), 94(2), 111, 115(2), 119(1), 120(2), 120(3), 121, 123(2), 123(3), 126, 131(1), 137, 138, 140(1), 145, 147, 166(2), 166(3), 166(4), 173(5), 176(2), 183 or 188;*

**5** Coming into force.