



Legislative Assembly of Alberta

The 27th Legislature
First Session

Standing Committee
on the
Economy

Wednesday, September 10, 2008
10:31 a.m.

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Standing Committee on the Economy

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Bill 204 Sponsor

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10:31 a.m. Wednesday, September 10, 2008

[Mr. Allred in the chair]

The Chair: I'd like to call the meeting to order. My name is Ken Allred, chair of the Standing Committee on the Economy. We do have a quorum. I'll ask the members to introduce themselves. Firstly, I'll ask Mr. McFarland and Mr. Weadick, who are on teleconference, to introduce themselves.

Mr. McFarland: You just did it, Mr. Chairman. Barry McFarland from Little Bow.

The Chair: Thanks, Barry.

Mr. Weadick: Hi. Greg Weadick from Lethbridge-West. It's raining down here, so I hope your weather is a little nicer up there.

The Chair: It's beautiful and sunny up here.

Mr. Johnson: Jeff Johnson, Athabasca-Redwater, subbing for Robin Campbell.

Mr. Marz: Richard Marz, MLA for Olds-Didsbury-Three Hills.

Ms Blakeman: Laurie Blakeman, and I can tell you that the weather in my fabulous constituency of Edmonton-Centre is absolutely deluxe, a fine fall day. Welcome, everyone.

The Chair: Okay. Thank you.

Mr. Reynolds: Rob Reynolds, Senior Parliamentary Counsel, Legislative Assembly.

Mrs. Kamuchik: Louise Kamuchik, Clerk Assistant, director of House services.

Ms Sorensen: Rhonda Sorensen, manager of communications services, Legislative Assembly Office.

Ms Staley: Diana Staley, research officer, Legislative Assembly Office.

Ms Stein: Rachel Stein, research officer, Legislative Assembly Office.

Dr. Massolin: Good morning. I'm Philip Massolin. I'm the committee research co-ordinator, Legislative Assembly Office.

Ms Rempel: Jody Rempel, committee clerk with the Legislative Assembly Office.

The Chair: Okay. We have a presentation from Transportation, which we'll get to in just a few moments. I'll just go through some of the formalities.

We have two more who have just arrived. If you'd introduce yourselves.

Mr. Bhullar: Manmeet Bhullar, MLA, Calgary-Montrose.

Mr. Amery: Moe Amery, Calgary-East.

The Chair: Okay. The first item is approval of the agenda. The

agenda has been posted on the web. Could we have a motion for approval of the agenda? Moved by Jeff. Any discussion?

We have the late Brian Mason who just arrived. Brian, do you want to introduce yourself?

Mr. Mason: Sure. I'm the late Brian Mason, MLA for Edmonton-Highlands-Norwood.

The Chair: Not much late, though.

Okay. The motion is for approval of the agenda. All in favour? Those opposed? The motion is carried.

The next item: approval of the minutes from the July 29 meeting. Are there any errors or omissions? If not, could we have a motion for approval?

Mr. Marz: I'll move that.

The Chair: Richard. Any discussion? All those in favour? Those opposed? The motion is carried.

Okay. A presentation from Alberta Transportation. Alberta Transportation had submitted their PowerPoint presentation at the last meeting. They weren't able to attend, however, but they're here today to make a presentation. I understand they're not going to redo the PowerPoint, but they're going to summarize it. Shaun, if you could introduce your delegation, please.

Mr. Hammond: Thank you very much, Mr. Chairman. My name is Shaun Hammond. I'm the assistant deputy minister for transportation safety services with Alberta Transportation. With me today I have Jeanette Espie, who is the executive director of the office of traffic safety at Alberta Transportation, and Marlene Anderson, who is our manager of research and policy within the office of traffic safety. They'll be here to help me answer some of the questions that will arise.

The Chair: The floor is yours.

Mr. Hammond: Thank you. With your permission, Mr. Chairman, I'm just going to skim through that presentation that we sent up in July. A year ago the department published a report on distracted driving and cellphone use, the result of significant research and analysis on current policies, legislation, and trends worldwide. We drew the conclusions that, in essence, a cellphone ban addressed only a symptom of the problem and not the root cause, that being distracted driving. In the department we use the CCMTA strategy for the reduction of impaired driving, or STRID, definition of distracted driving, as shown on slide 2. It's nonspecific and relates to the impact of non driving-related events that affect the driver's ability to focus on the road ahead and the task of driving.

If we turn to slide 3, and as you have and as Mr. Johnston detailed in his submission, we referred to the 2004 NHTSA naturalistic study from the University of Virginia when we undertook our analysis. In essence, cellphones are only one of many driver distractions. Compared to other common distractions, cellphones are associated with a lower crash risk. Driver distraction leads to collisions, based on Transport Canada's estimate that 20 per cent of collisions are attributable to driver error and that driver error can be laid at the door of driver distraction.

In terms of the hands-free versus hand-held debate, many jurisdictions, in fact the majority, ban hand-held phones only. At this time Israel, Japan, Portugal, and Singapore are the only jurisdictions to ban both hands-free and hand-held outright. However, we do not have any data in terms of a postban impact on

collisions from these jurisdictions, so it's virtually impossible for us to tell whether or not that total ban has had an impact on the number of collisions.

Hands-free cellphones are no safer than hand-held phones for the simple reason that both modes require the driver to refocus from the road ahead and the task of driving to a secondary task, either dialing, using a voice-activated command, or in fact having a conversation. This multitasking establishes a priority of tasks for the driver, and when talking on a cellphone, the priority becomes conversing rather than driving. Indeed, for many of the other distractions the focus is shifted away from the road ahead and onto whatever task they are doing. Exactly the same conflict occurs when the driver is eating, drinking, reading a map, reaching for an object, adjusting the radio, or changing a CD.

If we look at the impact of distraction on a novice driver or an experienced driver in terms of whether driver experience had any effect on the degradation of driving skills, an independent study conducted by the University of Calgary and funded by the Insurance Bureau of Canada determined that all drivers, not just novice drivers, showed reduced ability when on the cellphone or changing a CD, and in fact the degree of degradation for both groups was about the same. The other note that came out of that study was that – correct me if I'm wrong, Marlene – changing a CD showed exactly the same kind of degradation in focus and driving skills as talking on a cellphone. Both activities resulted in the same loss of driving focus. In Alberta it is difficult to distinguish between GDL, graduated driver licence, drivers and non-GDL drivers, so enforcement of a targeted GDL cellphone ban may be extremely difficult.

If we look at international legislation – we started with Australia, with them having a fairly impressive record of traffic safety – the Australian road rules prohibit all drivers from using hand-held cellphones unless the vehicle is parked. In Australia the use of hand-held cellphones is still common despite the ban, and again we have a lack of evidence preban/postban in terms of: has the ban resulted in a reduction in collision frequency?

In the United Kingdom we have a slightly different variation. Hand-held cellphones are prohibited. A careless driving charge can be laid for not maintaining proper control of the vehicle while using a hands-free phone. Employers may be prosecuted for requiring or allowing employees to use a cellphone while driving. But, again, there's a lack of evidence that a cellphone ban has reduced collision frequency.

10:40

We turn to the United States. Of the jurisdictions there, 29 jurisdictions have some form of cellphone ban; 21 of these allow police to stop drivers solely for the use of cellphones. In New York one year after the ban was implemented, cellphone use had returned to the prelegislation level.

Utah and Washington, DC, are rare examples of jurisdictions with legislation that addresses all distracted driving behaviours as opposed to just cellphone use. Both jurisdictions allow for hands-free operation of a cellphone. In both cases the enforcement on cellphone use is a secondary offence. In other words, a moving violation of the relevant highway code must have occurred – that would be the primary offence – caused by or added to by a distraction, the secondary offence.

Utah's legislation is too current – I believe it was only introduced in December of '07 – for any meaningful results to have been reported in relation to whether cellphone use or distracted driving occurrence has reduced, has dropped, and whether or not collision frequencies have been affected.

In terms of Washington, DC, legislation, which was accompanied by strict enforcement, there was an initial decrease in usage from 6.1

to 3.5 per cent after three months and then a slight increase to settle at 4 per cent 12 months postlegislation, or a net impact on usage decline of around 2 per cent.

Again, we have no evidence that the cellphone ban has reduced collision frequency in any of those jurisdictions.

In terms of the current situation in Canada, Quebec, Nova Scotia, and Newfoundland have banned the use of hand-held cellphones by all drivers, but none of the jurisdictions at this time are collecting data in relation to its effect on collision frequency. There is a lack of evidence that the cellphone ban has reduced collision frequency in those three provinces. B.C., Saskatchewan, Manitoba, Nova Scotia, and Prince Edward Island have all had recent public awareness campaigns aimed at distracted driving and/or cellphone use.

In terms of cellphone use rate this was calculated at the same time that Transport Canada conducted the seat belt survey, where they observed seat belt use or non-use. In 2006 they did the rural survey, and they took a look at cellphone use at that time. In 2007 they undertook the urban survey in terms of seat belts. Once they published it, we got the combined urban and rural, so we got the Canada-wide.

From the graph, as you can see, Alberta has the highest rate of cellphone use while driving, at 10.7 per cent. I believe you were looking for a split between rural and urban, and you should have got the split. Rural use in 2006 was 4.7 per cent, and urban was 11.7 in the following year, to give a combined provincial rate of 10.7, that we showed in our presentation.

Certainly, in the proportion of Canadian households with cellphones Alberta ranks very high. There is a large usage. There's a large population of cellphones in the province, and indeed we have a fairly high proportion of residences or homes where there is no land line and they rely solely on the cellphone.

In Alberta we do have in place an option of charging a careless driver under the Traffic Safety Act when distractions affect driving performance. It is possible to deal with a combination of a moving violation plus cellphone or other distraction by this route. The penalty is a \$402 fine and six demerits. The penalty is considered significant, but given the circumstances of a moving violation plus a cellphone or other distraction, it may well be appropriate.

In 2005 we participated in the International Conference on Distracted Driving, and delegates at that conference agreed that the current distracted driving laws do not adequately address the problem. They focus in on one or two behaviours. The delegates concluded that research, awareness, education, and co-operative government/industry efforts are essential to reducing collisions resulting from distracted driving. The CCMTA STRID Sub-Group on Distraction recommends enhanced public education around driver distraction.

When we put together the report, our conclusions were that there was little to no difference between using hands-free or hand-held cellphones when driving but that there are many sources of driver distraction that reduce driving focus and driving ability. Cellphones are not associated with as much risk as other distractions, and there is a lack of evidence world-wide and within Canada that the cellphone ban has reduced collision frequency. We firmly believe that distracted driving is a serious traffic safety problem encompassing all of the behaviours identified in the naturalistic study. We also believe that public awareness and education are more likely to reduce the overall prevalence of distracted driving in the long term than legislation.

I'd like to close with a note from a very recent report, an April 2008 report from the NHTSA that is entitled *Driver Distraction: A Review of the Current State-of-Knowledge*. This was published six

months after we published our report. In summary it notes that “standard behavioral countermeasures, including laws, enforcement, and sanctions, are considered unlikely to be effective because distraction is a broad societal problem associated with [many] lifestyle patterns and choices.”

Thank you very much, Mr. Chairman, for allowing us to quickly review that presentation.

The Chair: Okay. Thank you for your presentation.

Before we continue, let the record show that the deputy chair, Dave Taylor, arrived shortly after Mr. Hammond commenced his presentation. Welcome, Dave.

Mr. Taylor: Thank you.

The Chair: Okay. Do members of the committee have any questions for Mr. Hammond or his delegation?

Mr. Marz: Has the department discussed introducing another category of driving without due care and attention, a category such as maybe calling it distracted driving, one that is applied before an accident? Driving without due care and attention is generally a charge that is laid after an accident, and \$402 and six demerits probably is an adequate penalty, but it may not be applied before an accident because of the amount, because the officers feel it's excessive. Has your department discussed an offence that wouldn't involve an accident but which, if they're caught driving erratically while distracted, could be applied with a lesser fine, that would more likely be applied?

Mr. Hammond: That is one of the options that we had considered at the time. Again, I'm not sure of the effectiveness of that, whether or not that would address that particular issue of the distracted driving in itself.

Mr. Marz: Well, I think – and I think your presentation alluded to it – part of the solution is education, but part of the education process is making people aware. I can't think of a better way of making people aware than pulling them over and telling them that their distracted driving could cause an accident: just to impress upon you, here's a hundred dollar fine to think about it. It works on me.

Mr. Hammond: Well, again, that was an option that we did consider, yeah.

The Chair: Further questions? Mr. Amery.

Mr. Amery: Thank you, Mr. Chairman. My question is to you. I don't see the sponsor of the bill here today. Is it the normal process that he should not be present, or was he here last time?

The Chair: The sponsor of the bill, Mr. Johnston, was here at the last meeting and made a presentation.

Mr. Amery: I see.

The Chair: He is certainly free to attend, but we don't necessarily expect him. He's had his opportunity to make a presentation, and he responded to questions at that time.

Mr. Amery: Okay. Thank you.

The Chair: Mr. Mason.

Mr. Mason: Thanks very much. One of the things that you didn't really address in your presentation is the frequency or the pervasiveness of the distraction. You mentioned CDs, and I can certainly see that as being very distracting. If I drive to Calgary, which I do lots, I might change my CDs three times, but I would be on the phone a lot more. You know, it's the frequency and the pervasiveness of the distraction that I think leads people to believe that it's something that needs to be controlled relative to other forms of distraction.

10:50

Mr. Hammond: I think, Mr. Mason, what you're referring to there is exposure in terms of the length of time or how much you're doing a particular activity during the course of a journey. What I'd like to do is to throw that question over to Marlene because in the distracted driving report we did reference this kind of data in terms of exposure. It perhaps didn't come out in the right context, so maybe Marlene can explain how we derived our position from the exposure data that we have.

Ms Anderson: The one study that's referenced in the report is from the AAA Foundation for Traffic Safety. It's table 1 in our distracted driving report, and it looks at sources of distraction among drivers involved in collisions. That study involved 5,000 crashes where they tried to collect information on the collision site. They had investigators go out, and they conducted interviews postcrash. They had access to medical records and things of that nature. Of those 5,000, they were able to establish that 8.3 per cent of the drivers experienced some sort of distraction, and then this table outlines what those distractions were.

This study made an attempt to look at exposure. But that exposure information, the NHTSA study that Mr. Hammond referred to, acknowledges that gathering exposure information is a difficult thing to do in this situation. Studies have looked at observational studies, crash-based studies, and then experimental studies in order to look at that sort of thing. But this table does still indicate that using or dialing a cellphone was one of the lesser distractions. As you mentioned, adjusting a CD was up at 11.4 per cent of the involved drivers compared to 1.5 who were using a cellphone.

Mr. Mason: I have trouble with that.

Another question, I guess. Maybe it's a little bit rhetorical, but you can take a run at it if you'd like. I don't understand why so many jurisdictions have enacted legislation to prohibit the use of cellphones if all of the evidence indicates that there's really no case to be made for it. Is it just a matter of the politicians overriding good advice around the world in order to do something that seems intuitive to them?

Mr. Hammond: I'll perhaps start on that, and then I'll let Marlene track the Internet. I haven't done the jurisdiction-by-jurisdiction scan. I think it's a question of what we call it. Distracted driving has been a concern since the very first automobile came on board and they decided to install windscreen wipers. There was a significant concern at the time, in the early 1900s, that the motion of the windscreen wipers would mesmerize the drivers and cause them to drive off the road or into pedestrians and other things. So the issue around distracted driving has been there for a long time. The issue around cellphones: I guess that simply because of the population, the frequency, there was a focus put on that.

We've always had an issue with distracted driving. We've tried to influence that through, for example, vehicle standards in terms of the number of automated systems that there are, the audiovisual stuff that you get as a driver, and take a look at that. The problem with that, though, is that driving has become a far more complex activity.

As time has progressed, populations have increased such that the amount of information coming to a driver as they drive and that they process automatically is huge. A significant amount of the brain's processes are taken up just absorbing information that comes to you as you drive. Our concern is that cellphones are just one symptom. If we banned the cellphone – all right? – we still haven't addressed the larger problem of distracted driving.

I'll just give you an example. In September of 2007 California banned cellphones. They have a total ban for drivers under the age of 18 and then a hand-held ban for all other drivers. Hands-free are still allowed. That came into effect on July 1 of this year, with the California highway patrols handing out hundred dollar fines for the use of cellphones. In August Assemblyman Maze in the California Legislature saw it necessary to introduce an amendment, and this amendment – and I'm going to get it right – proposes to extend this law to ban driving while holding a live animal on the lap or in the hands. Apparently, it's quite common for the Hollywood elite to drive with animals on their lap, which is an exceedingly dangerous practice. So they've now had to take their cellphone ban, extend it to deal with animals, and go on from there.

It's indeed unfortunate. I was watching Global on the first day of school, and they were talking about the congestion. I think it was on 91st Street and 34th. They were interviewing drivers who were stuck there. Out of the three drivers they interviewed, the first shot you got was their pet sitting on their lap sticking their nose out the window into the camera. So we have that problem as well. It's distracted driving. It's actually a dangerous practice. Our concern is that we may address one symptom but not the whole disease of distracted driving.

I'm just going to quickly throw it over to Marlene to decide whether the politicians decided over good solid research and analysis.

Ms Anderson: Well, it's hard for me to comment on what sort of advice they sought in those other jurisdictions. Certainly, the international studies that we looked at showed that with a cellphone ban use maybe initially dropped off, but then it would go back to even prelaw levels and higher after up to about a year after legislation came into force. So that's the situation that other jurisdictions have faced after imposing a cellphone ban.

Ms Blakeman: Well, what I'm seeing is that the question for the committee is one that is useful to address: banning one of the distractions in a long list of distractions. Even though that would not eradicate human stupidity in the car, it would address one of a long list of distractions. I think that's what's in front of us. I note that Alberta has a very high rate of usage of cellphones, so I agree with you, Brian. I think that intuitively it seems to us that it would be an issue, but I am struck by the statistics on how it doesn't make that much of a difference. I'm wondering if you can expand on that at all for us because I think the most persuasive thing is that if we put this in place and it doesn't matter – everybody is back up to the same usage fairly quickly – then what have we done here?

Mr. Hammond: I'll pass that to Marlene or Jeanette.

Ms Espie: I think that initially what happens when laws go into place is there's a lot of public education that goes around that. There's usually enforcement as well, a concentrated amount of enforcement when a new law goes in, so that attention at the beginning. I think the population also believes that enforcement will be looking for those behaviours and also enforcing those behaviours. But as time goes on, of course, behaviours change, and there just

isn't enough enforcement in the world to be able to enforce consistently every law, and certainly cellphones is one of those issues as well.

11:00

Mr. Hammond: If I could just add to that, one of our concerns is the focus of enforcement. If you take the greater Edmonton area at any one time and you try and estimate the number of vehicles on the road, if it's 100,000 vehicles – and that may be light; that may be heavy – but if there is a 10 per cent or 11 per cent usage rate, we're talking around 11,000 drivers at any one time on the road, talking on the cellphone and driving. The question is: do we have the enforcement capacity to deal effectively with that large population, or is there a better way of doing this? Certainly, one of the reasons that we're concerned with a cellphone ban is that it takes the focus away from some of the more serious issues that we face in terms of traffic safety, those being speed, intersection safety, all those other good things that we're working on in terms of the overall collision frequency picture.

The Chair: Any further questions? Greg and Barry, do you have any questions?

Mr. McFarland: This is Barry. Can you hear okay?

The Chair: Yes, we can hear you. Maybe speak up just a little bit.

Mr. McFarland: Okay. I don't know if it's really a comment for Shaun or a question for Marlene. Somebody made a comment that it didn't make much of a difference. I was looking at – and maybe I'm jumping ahead one item – the memo from Art, our colleague, with respect to Newfoundland and Labrador and their statistics. I think it's appropriate with Transportation being there right now. Unless I'm misreading this thing, they've got in place legislation. Convictions have gone up over the years, but actually fatalities and injuries have also gone up. I fail to see the connection between enforcement and proper public awareness of the issue, because it doesn't appear to be working, at least in Newfoundland and in Labrador.

The other question that I have is one of enforcement. I'm still at a bit of a loss to understand, regardless of the penalty, why the police would not ticket somebody when they see an apparent distraction taking place that could ultimately result in serious injury and/or accident. It seems to me that maybe the police forces subscribe to a little less serious penalty so that they can use it as a cash cow much like strategic placement of hidden vehicles with photoradar. I've seen it happen primarily in Lethbridge, for instance, in Greg's area, where they like to set up the photoradar traps immediately adjacent to a change in speed zones on a downhill curve behind a bridge. I'm not a fan of another piece of legislation when there is currently one that exists that allows the police to do something when they see an apparent abuse of a driving privilege.

Ms Espie: I wouldn't want to speak for the police and the decisions that they make in law enforcement, but obviously if they see a driving behaviour such as an unsafe lane change or an unsafe left turn or following too closely, then law enforcement could lay a charge based on those behaviours, perhaps, whether or not a cellphone was involved. It may be for the law enforcement person who's involved. Failing to stop at a stop sign or an unsafe left turn or following too closely is a much more observable behaviour, and therefore they continue to lay charges based on those visible behaviours.

Mr. McFarland: Thank you. Chairman, could I ask just a procedural question here? At what point do we get into the rest of the discussion with respect to the exemptions and all the other things that tie in? I apologize for not being able to come to the last meeting, and I probably missed that part.

The Chair: Well, I would hope that under item 7 we can identify some of the issues that are involved, and then the debate will take place, presumably, at the next meeting. If we can have some general discussion under item 7 and identify the various issues that are involved in this, give people some time to think about it, then we can get into the debate at the following meeting.

Mr. McFarland: Thanks, Chairman.

The Chair: Greg, any questions from you?

Mr. Weadick: Well, I have one, and it's fairly general. Having listened to the department's presentation today and understanding that there is concern over cellphones as well as a number of other things, does the department have a recommendation for what they would see as an effective way to deal with distracted driving, whether it's specific bans like this or a more general one that we talked about at an earlier meeting? Does the department have something that they would support or believe would be effective to reduce distracted driving for a number of those things we've talked about, such as eating and phoning and putting on makeup and all the other stuff that happens?

Mr. Hammond: Mr. Weadick, the department's position right now – we have in place a distracted driving clause within the TSA. The fine and the demerit penalty are significantly large, and that has been raised as one of the issues as to why it's not used a lot. The way it sits is that we firmly believe that because we are sufficiently concerned about distracted driving being a major cause of collisions related to driver behaviour, that \$402 fine and six demerits is probably on the high side but is appropriate for those circumstances.

If we just imposed a ban on a cellphone and a \$100 fine – I mean, right now we're seeing that with some of our other risky behaviours on the roads that we define as offences, we're having to go to great effort because the fine is not sufficient or people just regard it as the cost of taking a trip from here to Calgary in terms of speeding or something else. If you look at the statistics, the number of charges laid under the distracted driving clause or the penalty that we have right now has risen in the last five years, but it certainly hasn't risen to reflect the number of collisions, so it's certainly not laid in every collision. I think that the ratio is fairly low and at a very low percentage.

I think our position is that if we're going to push hard on an education campaign, use the current fairly significant penalty to try and deter. That's a significant deterrent. Six demerits is what hits everybody hard. If distracted driving is in fact the significant cause that we believe it is, it's probably appropriate that we leave what we have. Our concern with a lesser offence is that it diminishes the concern we have for distracted driving on the whole.

Mr. Weadick: So something that's a lesser offence and, say, two or three demerits like a speeding ticket and a \$150 fine that could be issued just because you see a guy putting on makeup and maybe swerving a little bit or not paying due care and attention to his driving wouldn't alleviate the problem of distracted driving?

Mr. Hammond: No. We recommended that there would be

significant public education, a public awareness campaign that we would put out at the same time, and reinforce the notion that distracted driving that was a moving violation plus a distraction combined would result in significant penalties. We felt that that may be more effective. That was in line with the recommendations we were seeing from other jurisdictions.

Mr. Weadick: Okay. I'm starting to get it. You're really saying maybe a secondary fine, where if you have an accident or you get a speeding ticket and at the same time you're talking on a cellphone, you can get a second ticket for driving while distracted that caused you to get some other offence.

11:10

Mr. Hammond: I think that's the way we've written it right now in terms of distracted driving, where we're essentially looking at a moving violation that is combined with a distraction. That's one of the reasons why that fine and demerits are so high.

Mr. Weadick: Does there have to be an accident for the existing law to kick in?

Mr. Hammond: Not to our understanding. It may be common sort of operational practice, but that's not the way we intended it.

Mr. Weadick: That appeared from what we'd heard at an earlier meeting from people, from the proposer of the bill, that that seemed to be when it was used, only when there was a significant accident or something, and then it was used as one of the issues to try to prove that the driver was distracted and that's why he had an accident. But they didn't appear to be using it at any other time. I guess what we're all looking at is: how do we get some ability for police officers to use something to limit the distracted driving behaviour if it's as significant an issue as has been brought up?

Mr. Hammond: All right. We have a concern on the other side. Our concern is that that distracted driving clause is only used when a collision has occurred, and that's not what we intended. Because we're sufficiently concerned about distracted driving, we put that requirement in as it stands. It was intended to deal with, again, significant moving violations coupled with distractions that would lead to, you know, fairly strong intervention by the law enforcement.

Mr. Weadick: We have a fairly significant tool to deal with driving while talking on a cellphone right now because a police officer could pull you over if he believes it's distracting you from driving and issue that ticket and that six demerits, and it would be held up in court.

Mr. Hammond: That's right.

Mr. Weadick: Thank you.

The Chair: Thanks, Greg.

Mr. Mason: Is it okay, Mr. Chairman, if I just make a comment? It could lead to a question.

The Chair: I'd like to see a question. We don't want to waste these people's time in debate.

Mr. Mason: Well, you know, it just seems to me that the existing clause is a very big club and that police would be reluctant to use it if they saw someone just driving erratically while talking on a

cellphone. They would use it if there was a serious accident and their investigation of the accident showed that there was some distraction involved. You know, that's my sense of it. So I'm wondering if we shouldn't have something that would address distracted driving in general which would be useful for the police in terms of some of the stuff that we all see on the roads: people on cellphones running red lights and changing lanes without looking and so on. We all sort of see that. That would just be my comment.

Then my recollection from the last meeting and the presentation is that, in fact, the police services are in favour of something along this line. Is that correct?

Mr. Hammond: I think that would be a fair statement to make, Mr. Mason. The feedback that we got from some enforcement as to why they're not using that is that they consider the penalty a little harsh. The only response that I would have to that is that when we look at the 120,000 to 150,000 collisions that we have each year in the province and put 90 per cent of them at driver behaviour, and 20 per cent of those are driver distraction, we should be using that distracted driving and the six demerits more often than we are just based on statistical probabilities, and we're not. We're not seeing that level anywhere.

Mr. Mason: Not to argue, but surely it would be useful to give the police a broader range of tools that they could use.

Ms Espie: I'll just mention: in the examples that you pointed out, such as running a red light or running a stop sign, if the police were observing those behaviours, those offences are significant in themselves. They can continue and they do continue to lay those offences for observable activities on the part of the driver.

Mr. Mason: Again not to be argumentative, but the moving traffic offence is not the only time that there is distracted driving that takes place.

The Chair: Ms Blakeman.

Ms Blakeman: Yeah. It seems to me that in that last discussion what's really here, according to the comments that were made by Mr. Johnston when he was asked about why the police don't use it more – this is appearing on EC-13 of the July 29 *Hansard* – the officers have told him that they felt there wasn't a likelihood of conviction, so I'm thinking that provability is a point here. Once you get to court, if an officer is reluctant to use that if they have to take time off to go to court to prove this and then it's not successful, they start to consider it a waste of their time. So maybe there's an issue around provability.

Let me also go back. You seem to be strongly saying that the most effective means of reducing driver distraction is public education campaigns. Can you show me compelling and substantial evidence that supports that?

Mr. Hammond: In relation to cellphone bans, or in relation to any program that we've put on?

Ms Blakeman: Well, obviously, what's under discussion before the committee is cellphones. You're making an argument that we need to be considering a wider use, but at this point let's talk cellphones first.

Mr. Hammond: Maybe I'll throw that over to Marlene or Jeanette.

Ms Espie: I'm not aware of any jurisdiction that has been able to

prove results strictly over a public education campaign to do with driver distraction. I'm not sure that anyone has either done the research or has put the substantial dollars behind that type of a campaign. Certainly, when you look at movements like recycling and smoking and those kinds of things where you're getting the person to sort of buy into the issue of the behaviour and take some personal responsibility, understanding the issue, there are examples in other topic areas.

I don't know if you know of anything else, Marlene.

Mr. Hammond: The example I was going to use was child car seats, Ms Blakeman, in that we've got significant compliance with a safety feature through education and so on way beyond enforcement. There's a significant adherence or significant buy-in on the part of the public to the use of child car seats as part of the occupant restraint program.

The Chair: Mr. Bhullar.

Mr. Bhullar: Yes. I come back to the same thing my colleague Richard brought up earlier. It seems like the intent of the department was perhaps overridden by the common law when they created what seems to be a very high standard for convictions. It seems that they included accidents. So to undo a bunch of common law and now apply that law to this sort of offence would seem to be a bit difficult, to say the least. My question is: how would we create a distracted driving offence that has the intent of encompassing things like cellphone use and playing with dogs or anything else for that matter, putting on makeup . . .

Ms Blakeman: Shaving.

Mr. Bhullar: Shaving. Sure. Yeah. I can never be accused of that.

How can we help ensure that that will be used effectively, and how can we ensure that the courts don't then create too much leniency in that as well?

Mr. Hammond: In response to that I think that the sustainability, in other words, of a lesser offence or a lower level offence is really out of our hands. It's in the hands of the courts, the Crown, the defence lawyers, and so on.

11:20

One of our concerns is that even if we created a lesser offence, it would start dropping away in terms of being applied because it's tougher and tougher. How do you prove the arguments and so on? We are concerned that distracted driving is not being given the attention it deserves by all sectors, whether it be ourselves as the department, the motoring public, the police, and the judiciary. We've had examples recently where there have been decisions made that seem to fly in the face of logic.

We can't influence it. We can only try and help by putting in place the education, the awareness on the part of the prosecutors of exactly what we're looking for. But by the same token, it's up to the courts. The courts will in fact rule on what is admissible, what is not. We can only hope that it's sustainable.

The Chair: Other questions?

Mr. Bhullar: Sorry. One follow-up. If I was charged with distracted driving, well, I think the easiest thing for one to say is: "No, I wasn't. I wasn't distracted." Right? So my question would be: maybe give us some options for distracted, for a definition of distracted. I'd be interested, Mr. Chair, to see where we can actually

get some real, substantive definitions or examples of distracted so that we can make it clear on any possible legislation we put forward that this is the intent of the legislator, this is what we considered distracted so that the courts don't have their way with it.

The Chair: Is your question: is there a definition of distracted driving in the legislation? Is that your question, Manmeet?

Mr. Bhullar: My question is: do you think you can come up with such a definition?

Mr. Hammond: We probably could give it a good shot. One of the concerns that, again, as we put this definition together – if we take a look at that report that I talked about, the April '08 report from the U.S. National Highway Traffic Safety Administration, they talk about three issues. The first issue is whether the driver distraction requires an identifiable source – in other words, putting a CD in or cellphone or something like that – so they first have to consider that. The second issue concerns how much control the driver has over the triggering activity. In other words, was it purposeful: changing the radio station and so on? Was it incidental – for example, answering the phone, eating – or uncontrolled: the movement of a child in the back seat or a pet or something like that? There's an issue around how much control the driver has. So all of these considerations were built in. The third one was whether the distraction should include events or activity outside the vehicle as well. These are animals, deer, and so on.

Australia looked at these, and they actually came up with a definition of distracted driving that looks remarkably like the one we presented in the opening slide on our presentation. That's the degree to which the analysis has gone in terms of trying to put together a definition of what is distracted driving. So there's a whole series of considerations that went into that. Again, the Australians tried it and so on.

We have to be very thoughtful in how we put this definition together simply because, as you say, there are a significant number of defences that could be used: "The deer ran on the highway," or "I was distracted by that aircraft flying low," you know, that kind of thing. So we could try, but we wouldn't vary, I don't think, much from that definition that we've already presented on distracted driving.

The Chair: Thank you.
Mr. Johnson.

Mr. Johnson: Thank you, Mr. Chair. I'm getting from the folks at Transportation that addressing the larger picture of distracted driving is pretty important to you folks. I'm wondering what kind of statistics you track annually and assess in terms of distracted driving and infractions and charges and convictions. I'm specifically interested in: can we get statistics on how many distracted driving infractions or charges occur annually or get handed out without an accident being involved? Then, secondly, of those charges, how many actually stand up in court?

Ms Anderson: I have information on the number of convictions for careless driving, but we would have to do some looking to get information if it's possible to identify how many of those were actually associated with a collision or not and how many tickets were issued without a conviction. We'd have to get back to the committee on that.

The Chair: But that is some information you could research and provide back to us, is it?

Ms Anderson: I'll see what's available if it's possible to answer those two questions.

The Chair: Okay. We'd certainly appreciate that.

Mr. Hammond: The kind of numbers that we're talking around, though, is between 120,000 and 150,000 collisions and the total in the range of about 4,000 convictions under the current TSA 115(1). It is a very low percentage, just comparing one to the other. Now, the number of tickets associated with one of those collisions may be a lesser amount, so the number is going to be relatively low anyway.

Mr. Johnson: I guess, you know, kind of what we're getting at is: if there are no charges whatsoever in this province being handed out for distracted driving other than when an accident occurs, isn't that an issue that we need to address?

Mr. Hammond: Sorry, I missed the question.

Mr. Johnson: Isn't that an issue that we need to flag and address?

Mr. Hammond: Right. That's one of the issues that we would raise as part of the overall traffic safety plan with the enforcement groups. As we've brought them together, there is an enforcement subcommittee who looks at various elements or the various causes of these collisions, and we address them through an enforcement calendar. Distracted driving is one of those that is a particular focus for that enforcement committee. We do work with them on that issue.

Ms Blakeman: I'm hearing the same thing, that we're not actually addressing driver distraction by any sort of punishment levied unless it's in connection with something else where the police have already gotten involved, so there's something else going on, a collision or some sort of accident injury, whatever. That's what I seem to be hearing. Am I correct in that?

Mr. Hammond: What we've done is put in place the legislative framework. The regulatory framework is there. The offence is there. All right?

Ms Blakeman: But it's rarely used.

Mr. Hammond: The question of how it's executed or how it's used by the enforcement committee is another matter that we have to take up, obviously, but our position is that there is an offence that exists for distracted driving. It's perhaps not being used in terms of its original intent. Maybe it could be used for something else.

Ms Blakeman: All right. Then isn't what the committee needs to do is to talk to those that are doing the enforcement and find out if they'd be likely to do more enforcement or if they're never going to be doing this enforcement?

The Chair: We did have the Solicitor General here at a previous meeting.

Ms Blakeman: Yes, but I didn't get a lot that addressed this particular issue, or am I missing something?

I mean, what we're getting from the police officers is that they don't do it because they don't see the likelihood of conviction. It's not a good use of their time. If we put a law in place that nobody's willing to actually do anything with, have we made good use of our time here? I don't see the point of putting a law in place that's either

never going to get enforced or isn't terribly useful statistically in trying to reduce the injuries and collisions or whatever that we're trying to address here.

The Chair: Perhaps those are questions we need to address when we get into discussion and debate. That's not a question to Transportation.

Ms Blakeman: No, probably not.

The Chair: Mr. Mason.

Mr. Mason: Thanks, Mr. Chairman. Well, Ms Blakeman sort of brought up what I wanted to raise, and that is that I think at this stage . . .

The Chair: Is your question for Transportation?

Mr. Mason: No. I can't even think of a way to turn it into one.

The Chair: Okay. Well, I think we've had some good discussion and some good questions of Transportation. Are there any other questions specifically directed at Transportation? Greg or Barry?

Mr. Weadick: No, I'm good, thanks.

Mr. McFarland: It's Barry. I have one that is for Transportation. From Jeff I think I heard the request being made to come up with the numbers of convictions for careless driving associated with the collisions. If it's possible while they're checking those stats, would they be able to identify those that happened in urban centres versus rural highways? I think there's quite a connection. I know it overlaps with one of the statistical pieces of information we'll have further on here, but there's quite a disparity between rural and urban cell users. I wondered if there's the same disparity between urban convictions that have been levied and rural, not to get an urban/rural thing going here. I'm thinking more of a pilot.

11:30

Ms Anderson: I'll see if that information is also available.

Mr. McFarland: Thanks, Marlene.

The Chair: Thank you.

Mr. Johnson: Just for clarity, one of my questions was on the stats on charges for distracted driving where an accident was not involved.

Mr. Hammond: Okay. What we would do is correlate conviction with collision, and then the rest, the residual, would be without.

The Chair: Okay. Any further questions?

If not, I thank you very much for your presentation and for answering the questions.

Mr. Hammond: You're welcome, Mr. Chairman.

The Chair: You're certainly free to stay if you wish. We will continue on. We'll try to break for lunch about 11:45.

Okay. Items Arising from Previous Meeting. We had a memo from Art Johnston with regard to the Newfoundland and Labrador statistics. That information has been received. Any questions on that? I guess there's really not much to question. We can talk about

that in debate. We also received the information on seat belt usage. The third item, item 5(c), is the WebTrends report. We have Rhonda Sorensen with us, who is going to give us the report.

Ms Sorensen: Thank you, Mr. Chair. I won't take up much of your time. I just wanted to draw the committee's attention to some of the statistics we were able to pull from the web that correlate with the advertising and other public engagement initiatives. You will note that at the very top it indicates that the advertising campaign essentially ran between July 25 and August 11, and if you look at the chart at the bottom of the page, all of the activity spikes did coincide with that advertising campaign. To our way of thinking, that proves that the advertising did work, and you did get some activity on the website. My colleagues will get into the submissions a little later, but based on the number of submissions that were not solicited, it would appear that approximately 74 per cent of the submissions resulted from either advertising or public engagement initiatives.

The rest of the information is basic website statistics, and I can go through them or, if the committee prefers, just answer any questions.

The Chair: Does the committee have any questions? I think that's fairly straightforward. I thank you for a very good report.

Ms Sorensen: You're welcome, Mr. Chair.

The Chair: Okay. Moving on to research documents, Phil is going to make a short presentation on the documents.

Dr. Massolin: Yeah. I just wanted to see if I could make a comment about those research documents. There's one document that had to do with the comparison of hands-free cellphone devices and its effect on driving performance. That arose a couple of meetings ago. We just wanted to indicate that we presented that report and that you've had that available to you. We are willing to answer questions on that if you have any.

The Chair: What's the title of that one?

Dr. Massolin: It's An Analysis of Hands-Free Cellphone Devices on Driving Performance. Then the submissions report we were planning on getting to a little bit later on the agenda.

The Chair: Under the next item, right?

Dr. Massolin: Yeah.

The Chair: Okay. Any questions on An Analysis of Hands-Free Cellphone Devices on Driving Performance? A very comprehensive report, a lot of meat in there. No questions?

Okay. We can move on, then, to item 6, Handling of Submissions. I guess the first thing we need to decide under Handling of Submissions is whether we will release these submissions to the public. Now, if the committee decides to release them to the public, Rob Reynolds has a few issues he'd like to raise with the committee.

Mr. Reynolds: Well, thank you. These are some concerns about the information that's provided. Now, all committee members have access to the submissions, of course, unedited, as they come in. The concern here relates to making the submissions publicly available, and Alberta is a leader in making this sort of information available. However, there are some concerns that were brought up last year when these committees met and that are being echoed at other standing committee meetings now, which I'm sure some of you may have had an opportunity to participate in.

I want to preface my remarks by saying that the principle is that the Freedom of Information and Protection of Privacy Act protections should to the greatest extent possible apply here. Of course, the act does not apply with respect to the functions of the Assembly. The Assembly is not covered in its dealings by the FOIP Act. However, we try and respect the principles, which are to say: protection of personal information.

Accordingly, when there is information provided by an individual listing his or her e-mail address, telephone number, address, in the past that is personal information that we have wanted to sever, as it were, which means a black pen. I think the reasons for that are quite obvious. The person's name is not included in personal information exclusion because that's, obviously, how they're identified, and they know that this is to a public committee, as it were. This prohibition or severing or whatever does not apply to organizations such as, as relevant to this committee, the Alberta Motor Association. If they make a presentation, their address is public, et cetera, so that wouldn't be excised.

Other concerns that come to mind and that have been the subject of motions before are related to information where the submitter has requested that it not be made public. In the past committees have respected the wishes of individuals. I hasten to say that this is the decision of the committee itself although there are precedents from other committees. I also hasten to point out that, as Dr. Massolin and Ms Stein will get into in their review of presentations, there is not a lot that's troublesome, as it were, with the submissions to this committee. A lot of the concerns that arose were in the past with respect to issues that came up, let's say, around perhaps mental health issues, where some of the submissions were very personal, and it was information that probably people didn't want made public or where it wasn't in anyone's best interest that that be made public. However, where people have requested that the information not be made public, committees have generally acceded to that request.

The other point is, if you will, derogatory information. I know Mr. Mason had a comment on this in another committee. It relates to potentially defamatory information. On this you'd just have to trust us. Of course, committees of the Assembly enjoy a certain privilege. You enjoy freedom of speech, and that freedom of speech is carried over to committees. The point is that it shouldn't be an opportunity for people to take free reign with respect to comments about other individuals.

Now, I don't know if this is an issue in this committee as much, but if someone was making allegations about an identifiable individual being engaged in some illegal activity, that would be potentially defamatory. We are very respectful of the line about free speech, but if you're accusing someone else, hypothetically, of engaging in such a criminal activity, I don't think you'd need necessarily a legal background to realize that that would be potentially defamatory. The fact that it's on the Assembly website shouldn't necessarily provide the protection for the individual. I mean, I think that the Assembly, the members, in my own view, have an obligation to take responsibility with respect to the information that is out there.

11:40

The third thing relates to derogatory comments about a third-party individual, once again perhaps not an issue for this committee. Once again, in the mental health context there was an issue where people were making comments about a doctor or a relative, and I think fair-minded people would agree that these comments could be potentially damaging. If not defamatory, they were certainly, if you will, an invasion of the person's privacy and also just left a lot of unfounded allegations out there.

Now, one thing we're not recommending with respect to the

motion this year. In the past there was an inclusion about other objectionable language. Some members commented on this in other committee forums. One of the reasons that that was in there was just an effort to take out profanity. I realize it can be colourful language; you know, George Carlin's seven words you can't say on the radio. That was just an opportunity to perhaps excise those words as I'm not entirely sure that members would really want to be promoting that kind of language out there. You know, people shouldn't write in, but the submissions are public. You post them on the website, and perhaps that's not appropriate language for that.

In any event, those were the four areas that I think the committee may want to address with respect to public submissions and what is posted on the external site. I've gone on a bit. If there are any questions, I'd be pleased to answer them.

The Chair: Ms Blakeman, you had a question?

Ms Blakeman: I did. Can you just confirm, then, that we have had examples of committees passing motions to make submissions public, to release them publicly, with the proviso that the personal information is severed?

Mr. Reynolds: Yes. Thank you, Ms Blakeman. In the committees that met last year, this was a fairly standard motion that was passed, and yes, the same issue is being raised before all committees this year, too.

The Chair: Now, if I'm correct, there is one submission that has asked that their name be withheld. Are there any submissions that relate to defamatory language? Well, obviously, some have personal information.

Dr. Massolin: I can speak to that, Mr. Chair. There is just one submission, as you mentioned, that requested confidentiality, so the entire submission, if the committee is agreeable, would not be made public. Other than that, there are no other issues with respect to the things that Parliamentary Counsel has mentioned.

The Chair: Thank you.

What is the committee's wish, then?

Mr. McFarland: Do I understand, Mr. Chairman, that with the other motions that were made, the submission along with the name of the person submitting is made public, but maybe their address, e-mail, phone number, et cetera, are not?

The Chair: That's the intent.

Okay. What is the committee's wish? Mr. Mason.

Mr. Mason: I would move that the . . .

The Chair: I have a draft motion here if you'd like.

Mr. Mason: Oh. Okay.

The Chair: See if this is acceptable to you, Mr. Mason. Moved by Mr. Mason that

the Standing Committee on the Economy make the submissions received available to the public with the exception of those portions containing the following types of information:

- (1) personal information other than name,
- (2) where the submitter has requested certain information not be made publicly available,
- (3) where the submission contains information about a third party, and

(4) where the submission contains potentially defamatory material. Is that acceptable?

Mr. Mason: I just have one question. Would the clause where someone has requested that certain information be kept confidential cover this case where somebody has requested that their entire submission and their name be kept confidential? See, that's something I think we need to talk about because I'm not comfortable with people coming forward and making presentations to a public body that's considering legislation and doing so secretly. You know, I would really have to know why. That's the problem that I have with the motion. Everything else I agree with.

The Chair: Would you like to move the motion with that clause excepted?

Mr. Mason: Yes.

The Chair: Okay. That's fine. If somebody wants to introduce it later, we can introduce that particular clause. The motion, then, will read that

the Standing Committee on the Economy make the submissions received available to the public with the exception of those portions containing the following types of information:

- (1) personal information other than name,
- (2) where the submission contains information about a third party, and
- (3) where the submission contains potentially defamatory material.

Mr. Mason: So moved.

The Chair: Discussion on the motion?

Mr. Amery: When you say "personal information other than the name," that means you put the name, but you don't put the address, phone number, e-mail address?

The Chair: That is correct.

Ready for the question? All those in favour? Those opposed? The motion is carried.

Do you wish to address anything further with regard to the handling of submissions?

Mr. Mason: Well, I would support the other clause that we didn't put in if we included the words "at the discretion of the committee" or something.

Ms Blakeman: In other words, you want the ability to examine the particular submission and then make your decision.

Mr. Mason: Well, you don't necessarily have to examine the submission, but you would need to understand what they've asked you to keep confidential and why. I mean, that's my problem with it.

The Chair: You have all of the submissions.

Mr. Reynolds, do you want to comment on this?

Mr. Reynolds: Well, I just want to say that, of course, it's up to the committee's discretion because it's all up to the committee's discretion with respect to what you do. There's a bit of a tricky issue in the sense that if you start discussing the submission that the person wants to be kept confidential on the record, then you've sort of just defeated the purpose, I guess. I'm not sure how you would want to handle that. Certainly, the research staff can identify that for

members for your information. Perhaps, if I may make a suggestion, that may not be a discussion that committee members would want to have, necessarily, on the record with respect to addressing the specific submission.

The Chair: Might I suggest that since it's lunchtime, the researchers identify the submission by number that's asked to be confidential, and if members wish to review it and make a specific motion regarding that submission by number only, we will deal with it after lunch? Is that acceptable?

Dr. Massolin: I can do that for you right now.

The Chair: Can you please identify it by number?

Dr. Massolin: Sure. It's submission 003.

The Chair: Submission 003. If members want to review that while we have lunch, we can address that issue after lunch. Okay. We will return at 12:20. So if you can call back in, Barry and Greg, just before 12:20.

Mr. McFarland: Mr. Chairman, with 003, of course, I wasn't there. If there's anything out of the ordinary, would somebody phone here at the office?

The Chair: It's available on your web page, Barry.

Mr. McFarland: Thank you.

The Chair: Okay. We will recess until 12:20.

[The committee adjourned from 11:49 a.m. to 12:23 p.m.]

The Chair: Okay. We recessed in discussion of the submissions. We had a motion to make the submissions public subject to three conditions, and there was some concern with regard to one of the other conditions. Has everyone had a chance to review submission 003? Does anyone wish to take any further business with regard to that?

Mr. Mason: Well, Mr. Chairman, it's been brought to my attention that one of our advertisements implied that people had the option of whether or not they wished their submission to be public.

The Chair: That is correct.

Mr. Mason: I suggest that in the future we not do that. My concern broadly is that I wouldn't want some in the public to accuse the committee of making important decisions based on secret submissions. To me it's a little bit problematic. Perhaps in this case we could make the submission public but sever the name of the submitter. I don't know if that would be considered advisable by legal counsel, but it might be one way that we could deal with it.

The Chair: Would you like to put that in the form of a motion?

Mr. Mason: I would but subject to maybe a comment from Mr. Reynolds.

The Chair: Do you want to make a comment, then, Mr. Reynolds?

Mr. Reynolds: I'm sure that would be fine. It's up to the commit-

tee's discretion. As members were aware and Mr. Mason pointed out, the advertisement that did run indicated that you could request that your submission not be made public, so I expect that created an expectation, if you will, that it would be. But presumably if the name was left off, that's up to the committee, obviously.

The Chair: Okay. The motion, as I understand it, is that submission number 003 be made public but the name be deleted from the submission.

Is there any discussion?

Mr. Marz: We have to have some rationale for deleting one person's name over others.

Ms Blakeman: They requested.

Mr. Marz: They requested that the whole submission be private, not just their name. Is that not right?

The Chair: Well, the submission actually says, "I prefer not to be listed in Public."

Mr. Marz: Oh, okay.

The Chair: I think, in my opinion, deleting the name satisfies the request. I may be wrong.

Ms Blakeman: I think there's a lesson learned here. I certainly in future committees would not encourage the use of that out, if I can call it that, in the advertisements, allowing people to indicate that they want a confidential submission, because I think transparency is very important in this process. If committees are going to make decisions based on a public submission process, you know, the public has got the right to go and look and see what influenced our decision-making. To allow people to take themselves out of that scrutiny I believe perverts what we're trying to do here. But in this case we offered in the advertisement that people could choose that, and this individual did but in the wording seems to be more concerned about their name than the submission, so I'll support the motion that's on the floor to post it without the name attached.

Mr. Marz: I would agree with Ms Blakeman's comments with the exception of depending on the type of committee, and I'm thinking back to the review of the Mental Health Act, where a lot was private information that was sensitive to those families. But I think the committees do have to carefully consider their advertising and the type of consultation they're doing.

The Chair: Any further discussion? Barry or Greg, are you online now?

Mr. McFarland: I'm back online. I hung up or did something, and I got disconnected.
I'll go along with it.

The Chair: That's Barry speaking, right?

Mr. McFarland: Sorry. Yeah, it's Barry.

The Chair: Okay. Do you have any comment on the motion?

Mr. McFarland: I don't.

The Chair: Is Greg Weadick online? I guess not.

Okay. If there's no further discussion, all in favour of the motion? Those opposed? The motion is carried. Okay. Thank you very much. We have dealt with that on the handling of submissions.

For item 7 – and I'm not sure; maybe this was intended to have been under item 5 – we have a short presentation by Rachel Stein. There was a request at one of our previous meetings to get some information on details on hands-free equipment. Rachel, I believe, has that information. Or is it Phil?

Dr. Massolin: Yeah. If I may just jump in to give you a bit of a preface to all this. As you mentioned, Mr. Chair, this request was a request for information pertaining to the aftermarket installation of Bluetooth technology in vehicles to ascertain sort of the cost range among a sampling of service providers across the province. We have done some research in that regard, and I'd like to introduce Rachel Stein to the committee. She's one of our two new research officers along with Diana Staley.

Rachel, if you would like to provide the committee information on Bluetooth technology.

12:30

Ms Stein: Okay. As Phil indicated, the research staff contacted a number of companies throughout Alberta which sell and install Bluetooth products. Prices of these products, including installation, normally range between \$200 and \$370. However, there are many variables that determine the cost of the Bluetooth product and its installation, including the features of the product such as call display, phone books, or OnStar, and the wiring of the vehicle. For example, a new luxury vehicle may have a complex wiring system which requires longer and more complex installation. For approximately \$200 an individual may purchase a portable Bluetooth adapter product that plugs into the cigarette lighter of the vehicle. These devices do not require professional installation.

Thank you.

The Chair: Any questions?

Ms Blakeman: I'm sorry. Could I just get the range again? You said \$200 to \$370 or \$200 to \$270?

Ms Stein: Oh, sorry. Between \$200 and \$370 on average.

Ms Blakeman: Thank you.

The Chair: I believe it was you that requested information, Ms Blakeman. Is that the information you wished?

Ms Blakeman: If I requested it, yes. I wasn't at the last meeting, so I don't think I requested it.

The Chair: Okay. Are there any questions with regard to that item? If not, thank you very much, Rachel. I appreciate that.

Moving to 7(b), Discussion. As I indicated, I don't think we want to get into the full debate on the issues. We have all of the submissions before us. I think that if we had some general discussion on the submissions themselves. What I would like to come out of this meeting with is to identify some of the issues that we're going to be faced with in our future deliberations so that we can get our minds around those issues and get into some actual debate on those issues. It's open for some general discussion on the submissions or general comments.

Dr. Massolin: Mr. Chair, would you like us to just give an overview of the submissions summary?

The Chair: Oh, right. Sorry. I missed that one, too. Please do.

Dr. Massolin: Okay. Thank you. I'll again turn the floor over to Rachel.

Ms Stein: Okay. Thank you. The research staff prepared a summary report of the submissions received for Bill 204 to assist the committee with its deliberations. I will begin with an overview of the organization of the report, which corresponds to the table of contents on page 2.

Section 1.0, the introduction, explains the structure of the report, identifies the salient issues the submissions raised, and provides a brief general summary of the submissions.

Section 2.0 provides a complete summary of the submissions. Submissions were divided into two groups based on whether they were sent from a solicited stakeholder or a nonsolicited stakeholder or member of the public.

Section 3.0 provides the statistical information of the submissions, including the opinion and geographical location of the submitter.

Section 4.0 is a complete list of all submissions received.

To begin, I would like to note the statistical information of the submissions. Please refer to page 10 of the summary report for greater detail. As indicated in table 1, this report considered a total of 50 submissions which were received by August 29, 2008. Thirty-eight of the submissions expressed explicit support for Bill 204, two expressed explicit opposition, and 10 were categorized as unknown. Thus, the majority of submitters support Bill 204.

The geographic location of most submitters was north of Red Deer. More specifically, 22 submissions were received from submitters located in the northern portion of the province, 15 were received from areas south of Red Deer, 11 were of unknown origin, and two submissions were received from Ontario.

Also noted on page 10, under table 2 you will see that the Canadian Vehicle Manufacturers' Association requested to meet with the committee. Please refer to the footnote at the bottom of page 10 for the actual wording of the request.

A number of the other stakeholder submitters, including the Alberta Medical Association and the Insurance Brokers Association of Alberta, expressed openness to providing additional information to the committee if needed.

Please note that statistical information regarding the actual number of responses received from solicited stakeholders is not provided in the summary report. In total, 45 stakeholders were invited to provide input to the committee. The committee received a response from 13 of these solicited stakeholders. Of the remaining 37 submitters, two were from nonsolicited stakeholders, and 35 were from the public.

I will now provide a general overview of the most prominent issues of the submissions. Please note that the following observations highlight a portion, not all, of the submissions received.

Generally, three provisions of the bill were covered. First, both the stakeholder and public submissions provided significant commentary on section 115.1(2), which would prohibit the use of hand-held communication devices while driving. Submissions, whether received from a stakeholder or member of the public, expressed support to restrict the use of hand-held devices based on the belief that these devices distract drivers and, consequently, impair driving ability and jeopardize the safety of others.

A number of the solicited stakeholder submissions, including the Alberta Centre for Injury Control & Research, the Alberta Medical Association, the RCMP, and professors Scialfa, Dewar, and Kline, cited various research studies to support this argument. Although the public submissions most often cited personal observations of traffic violations and collisions caused by drivers who were using

communication devices to support this argument, a number of the public submitters referenced research studies on this topic, including studies by several of the solicited stakeholders, such as the Alberta Motor Association.

A number of the solicited stakeholders, including the Insurance Bureau of Canada and public submissions, acknowledged that use of communication devices while driving is one of many potential driver distractions. Nonetheless, these submissions indicated that the variety of possible driver distractions was not an adequate reason not to prohibit one distraction. Several submitters also commented that the use of communication devices was the most frequent and/or most dangerous distraction.

Second, a significant number of submitters, both solicited stakeholders and members of the public, commented on section 115.1(3)(a), the exception for the use of hands-free communication devices while driving. The academic solicited stakeholders, including Professor Caird and Professor Francescutti, shared that research indicates there is little difference between hand-held and hands-free communication devices in terms of the extent to which drivers are distracted while using these devices while driving.

A large portion of the public submissions expressed similar views. Many of these submitters requested that this section be omitted, thus prohibiting the use of hands-free communication devices while driving as well.

However, the Canadian Vehicle Manufacturers' Association and the Canadian Wireless Telecommunications Association, both of whom were solicited stakeholders, indicated that hands-free devices can allow drivers to communicate while driving safely. For instance, the submission from the Canadian Vehicle Manufacturers' Association indicated that manufacturer-installed hands-free devices have been designed to support safe driving and include features such as voice activation and steering wheel mounted controls.

Third, two of the stakeholder submitters, Professor Caird and the Alberta Motor Association, commented on novice drivers and indicated that novice drivers are more likely than experienced drivers to make traffic violations and have collisions. The Alberta Motor Association indicated that restricting the use of communication devices for novice drivers would improve the graduated licensing system by providing a more suitable environment for novice drivers to develop their skills.

Many of the stakeholder and public submissions also commented on concerns related to enforcement issues. One of the solicited stakeholders, the Alberta Centre for Injury Control & Research, suggested that peace officers could be used as an additional enforcement resource. Another stakeholder submitter, Professor Francescutti, contended that most Albertans obey the law when priorities are established and leadership is provided. Several of the public submitters indicated that sufficient fines would be needed to ensure compliance.

The committee also received two submissions from members of the public which explicitly oppose Bill 204. One of these submissions expressed opposition because it would be too difficult to enforce compliance. The other submission indicated that driving while using a communication device may be distracting for some drivers but is not distracting to all drivers.

Thank you for listening.

The Chair: Any questions?

Mr. Marz: I have one. The comment that was made by the submitter that most Albertans obey laws once they're passed: do you know if that was applicable to traffic laws or laws in general? I would submit that if you travel highway 2, you'd be hard-pressed to

find anybody obeying all the traffic laws on that road, with speeding number one.

Ms Stein: Yeah. That particular comment was made by Professor Francescutti, and he had indicated in general terms that, generally speaking, Albertans are law-abiding citizens.

12:40

Mr. Marz: And I would partly agree with that. I think traffic laws would probably be in a category of their own. I think the opinion would be different.

The Chair: Ms Blakeman.

Ms Blakeman: Thank you. On page 7 of your document under the Other Comments section an organization with the initials ACICR, which I think is the Alberta centre for injury control if I've got that one straight, says that "the Alberta Sheriff's Highway Patrol has had success in enforcing the Traffic Safety Act." Did they cite any sources for that? What we heard this morning from the Transportation department was that we had difficulty finding any statistics that are verifiable other than those that are already attached to a collision or some other citable offence. So what exactly have they had success in enforcing? How do they say that, and what's the source?

Ms Stein: If I remember correctly, I don't believe that they cited a specific study, but I'd have to go back to the actual submission. It was the Alberta Centre for Injury Control & Research regarding that particular point.

Ms Blakeman: Well, I'd be really interested if they have statistical evidence that others have not been able to get.

Dr. Massolin: Yes. We can get back to the committee on that.

The Chair: It would be appreciated.

Mr. Amery.

Mr. Amery: Thank you, Mr. Chairman. I have a question. I don't know if you would have the answer for it. In a province of 3 and a half million people we got 50 submissions. I think it's a very poor response, you know, to get 50 submissions out of 3 and a half million people. Is it because this issue is not a priority, is not on people's minds, or is it that the way this committee advertised did not get to the people of the province or that we didn't have sufficient advertising so that people could see it and respond to it? I believe 50 submissions is very, very low.

Ms Blakeman: It's our timing. This ran over the summer.

Mr. Marz: Just an observation. I think we tend to get better public input after a law is passed rather than before. They sure tell you when they're not happy with it.

The Chair: Just a comment in comparing with other committees that have advertised probably about the same time. They only got 10 to 15 submissions, so 50 is maybe pretty good.

Rhonda, do you want to make a comment?

Ms Sorensen: Yes, Mr. Chair, if I could. I just want to point out that people aren't always drawn to action. Just because you don't receive a formal submission does not mean that people aren't interested in following the issue. You still might hear from people afterwards, even within your own offices.

The Chair: Any further questions? Barry or Greg?

Mr. McFarland: I agree with Moe. Whether 50 is good or not, it's still poor. Depending on what side of the issue you're on – these 50 are in favour. But I think a lot of people think there are other focuses that we could make that would be far more important than specifically coming down on cellphones as opposed to some of the other things that people like Richard Marz and I see on an almost daily basis travelling as many miles as we do on many different types of roadways, from rural to large urban. So I'm with Moe. I was quite surprised. When you look at the makeup, it would appear that even four of the 50 came from one family and 13 out of 45 stakeholders I think Rachel quoted. That's not very significant either.

The Chair: Any further questions for Rachel?

Ms Blakeman: Well, I'm wondering if we were able to answer the current question by looking at the hits on the website. Granted, not everyone has easy access to the Internet. But can whoever prepared this communications report on the WebTrends summary report give us an idea about the 1,225 hits on the site in the two months covered by this report, how that compares with the work the other committees are doing? Does that tell us a level of interest in the province compared to the work of other committees?

The Chair: Rhonda.

Ms Sorensen: Yes, Mr. Chair. Thank you. I could certainly pull the reports. We do similar reports for all of the committees, so we could show a comparison of what other committee activity was. I did want to just point to the committee's attention that you should probably look at the views or visits over the hits. Hits can be a little misleading. Views or visits show people who've been there a significant amount of time. As you can see by the report for this committee's website, we had just over 1,500 people visit the website in the time of the advertising. Whether or not they actually went to the extra step of putting in a formal submission is also something that could be a little bit subjective.

Ms Blakeman: Thank you.

The Chair: Further questions?

Phil, did you want to add something?

Dr. Massolin: Yeah. I've got the answer to that earlier question that was posed by Ms Blakeman with respect to the Alberta Sheriff Highway Patrol and the submission by the Alberta Centre for Injury Control & Research. The answer is, unfortunately, no. No citation or reference is provided to refer the reader to any statistical information.

The Chair: Okay. Thank you for that.

Is there anything further with regard to submissions, then, from research staff?

Dr. Massolin: No, I don't think so, Mr. Chair.

The Chair: Okay. Then we will move into some general discussion and identification of issues. Barry, do you want to lead us off?

Mr. McFarland: Is that because I'm furthest away, or I talk the most?

The Chair: I think since Greg's not on the line, you're the furthest away.

Mr. McFarland: Mr. Chairman, I guess the thing that I didn't get an answer to was from Transportation. I don't really expect that it's their responsibility to answer this, but in the case of Newfoundland and Labrador, where they have legislation, they've put more police officers on the road to try to enforce distraction occurrences. It seems rather odd that you've got legislation trying to curb or help, and in fact the number of convictions has gone up. The number of accidents and fatalities has gone up. I don't know if that's something unique to that one province, but if it's a sign of things to come, I don't know that this is going to be a successful exercise.

The second point I'd asked about when our colleague Jeff Johnson asked for a breakdown of some statistics that dealt with urban and rural use. I said then and I'll say again that I'm not trying to create an urban-rural conflict, but it does appear that there's far more usage in urban areas of cellphones, and part of that may be the location of towers and so on.

My observation is this: if this bill were to proceed, I would rather that we try it as a pilot, and perhaps it should be in Edmonton and/or Calgary to start with. I think, number one, they have the resources; number two, they've got the usage. I think it would scientifically show whether it was effective or not, rather than implementing something province-wide, where many of our areas are understaffed with police as it is. Quite frankly, I think they have more serious issues that they want to deal with, with grow operations and crime of different sorts, rather than checking whether or not somebody is actually using a Bluetooth or a hands-free or changing CD discs.

I'm not putting down the seriousness of what happens when people do drive distracted, but on the other hand – and I know I'm jumping ahead here a lot, Chairman – if it's going to be a law in this province, it has to be for everyone. There can't be exemptions. In my travels I've seen just as many police cars with officers driving using the cellphone, which I've seen in proportion to the general public.

12:50

I'll make one other comment. I know there are some at the table who might take offence, but in the cities it seems to me – and I was involved and knew the numbers of young people involved in alcohol-related accidents – that it was the young, inexperienced drivers, I think, with the cellphones. What I have observed is that some of the most aggressive drivers are the young girls nowadays. They primarily seem to have a cellphone glued to their ear while they're driving and backing out of a parking lot or not paying due care and attention. I think we could catch more of those in areas of higher concentration.

That's about it, Chairman. I'm sorry. I kind of jumped ahead on general discussion, but that's kind of the sense that I'm getting.

The Chair: I appreciate your comments.

Mr. McFarland: Thank you.

The Chair: Mr. Mason.

Mr. Mason: Thanks, Mr. Chairman. I see on the list that the RCMP have put in a submission. Did we solicit other police services to see if they were interested in submitting?

The Chair: Yes. I believe we solicited several police departments, did we not?

Dr. Massolin: We did. We solicited the Edmonton Police Service and the Calgary Police Service.

Mr. Mason: And they declined, or they just haven't responded?

Dr. Massolin: They haven't responded.

Mr. Mason: It's too bad, Mr. Chairman. What I am particularly interested in here is getting the view of the police. The RCMP are in favour of the bill. I don't know if it's appropriate to make another effort to get the two large metropolitan police services to submit. I would certainly encourage that.

The Chair: If I'm not mistaken, there were about five police agencies we solicited, were there not?

Dr. Massolin: Yes. The others were the police associations, including the Alberta Federation of Police Associations, the Canadian Police Association, the Calgary Police Association, and the Edmonton Police Association in addition to those others that we've already talked about.

The Chair: Did we not get a formal resolution from a police organization endorsing prohibition of hand-held cellphone use?

Dr. Massolin: To my knowledge, Mr. Chair, it's just the submission from the Royal Canadian Mounted Police.

The Chair: I'll maybe just ask Jody to summarize the submission she's looking at.

Ms Rempel: Okay. Well, the one that I'm looking at – and I'm not sure if this is the one you were alluding to – is from the Alberta Association of Chiefs of Police. It wasn't sent in as a regular submission, but it was some correspondence that was directed to the chair of this committee prior to our decision to solicit the submissions.

The Chair: I believe we circulated that to everybody, did we not?

Ms Rempel: Yes, we did.

Mr. Marz: Mr. Chairman, for me, I think – and this is relative to the points I've brought up before and others have echoed – it would be a useful exercise to have a number of the enforcement representatives in here: RCMP, sheriffs, and maybe someone from the Calgary and Edmonton city police forces, to answer some of the questions of why you would support this bill, but the utilization of the tool you have before you is so seldom used. It's one thing to jump on a bandwagon and say: yeah, that's a good idea. But as we've found out, passing a law seems to create an expectation that it's going to curb a certain behaviour. As we've seen with the expert studies, that doesn't happen. We don't have the stats even in Transportation. If this was such a huge issue to our safety, you'd think we would be tracking statistics on this, which we don't seem to have.

I'd like to start by asking some of these police officers why they haven't utilized the driving without due care and attention. Is it because they have no confidence that the courts are going to uphold it and they're going to waste their time? Are they going to use a new law? Or is it just going to be another law on the books that is overlooked? Then because we don't track the stats, we think we've done something, when in fact after a year accidents have gone up and maybe fatalities have gone up even further.

Pulling over really quickly when your phone rings on highway 2

could well be as dangerous or more dangerous than answering the thing or, better yet, ignoring it. All these things have messaging services on them if it's an important call. I haven't had a life-threatening situation yet where it was that important that I answer that phone right away. I can always wait until the next normal stop. I don't have to immediately pull over and respond to the message that's on it.

For me it would be, I think, a useful thing to have one more discussion with the enforcement side of things.

The Chair: Further discussion?

Ms Blakeman: Yes. I agree. I would like to hear that because that does seem to be where this all falls apart. We can pass a law, but it seems like there have been difficulties or hesitations in enforcing the driver distraction. I don't see the point in passing a law if it's not going to make a difference.

I'm also keenly aware that on the list of driver distractions there are other distractions – yes, indeed – but I don't know that that should stop us from trying to make a positive difference if we can. The problem from what we've heard today and previous days is that there's some question as to whether it really does make a difference. Although I will note that in the information from Newfoundland and Labrador, while Mr. McFarland is correct that the fatalities increased while the law was in effect, the injuries decreased substantially over a number of years. It went from 1,033 injuries in 2003 to 802 injuries in 2006, which is not a bad reduction. But he's correct that the fatalities did increase.

I'd like to hear from the police about what's the problem and what's the likelihood that they'd actually enforce it.

The Chair: Phil, do you want to comment on that?

Dr. Massolin: Just on the information that was provided by Mr. Johnston. Just to point out that from a research perspective it bears noting that what we're really after here is the accident rate, not the total crude numbers because if you see a significant increase in traffic, yet the fatalities or injuries go up, you still might have a deduction or a decrease in the accident rate, which is significant. This information doesn't necessarily get us to where we may want to be.

Ms Blakeman: You're talking volume compared to intensity.

Dr. Massolin: Yes.

Ms Blakeman: Okay. Yeah. Good point.

The Chair: Mr. Amery.

Mr. Amery: Yeah. Mr. Chairman, just a question about process. Does this committee have to make a recommendation as to whether this bill proceeds or is not to proceed? If yes, when is the deadline?

The Chair: The Legislature has not imposed a deadline on our deliberations and our recommendations back, but by default if we don't get it in probably by the end of October, it probably won't get on the Order Paper.

Ms Blakeman: Wasn't there a request it's in by the 30th of October?

The Chair: Not for this committee. For all the other committees I believe it was the end of October, but for us there are no deadlines.

Ms Blakeman: Okay. But if we don't do it by the 31st of December, the bill would die on the Order Paper regardless of what we do.

The Chair: Right.

Mr. Amery: So do we have the time, based on what Mr. Marz said, to call these organizations to the committee to answer questions before the end of October?

The Chair: Well, we have our next meeting scheduled for September 29, so presumably we could ask someone if they could attend on the 29th if you wish to have some further submissions.

I do note that in one of the reports somebody had asked to make a public presentation. Can you help me, Rachel, with that?

1:00

Ms Stein: That's correct. It was the Canadian Vehicle Manufacturers' Association.

The Chair: The Canadian Vehicle Manufacturers' Association.

Ms Stein: Yes.

The Chair: Okay. But if the committee wishes to have further submissions – we'd initially asked for written submissions. We didn't ask for public presentations at the time, but we can do what we wish.

Mr. Marz: I would be prepared to make a motion inviting representatives from the Calgary and Edmonton police forces, the RCMP, and a representative from the sheriffs' department, people that are actively involved or at least supervising active officers in enforcement of traffic laws, to our next meeting.

The Chair: Okay. Discussion on the motion?

Mr. Mason: I'd certainly support that. The only question I have is: is the sheriffs' office going to be able to speak independently of the Solicitor General's department? That would be my question about that one, but I certainly think that Richard is on the right track with this.

Ms Blakeman: Well, just a note that it's a second invitation to the groups named to prepare a submission or to come and talk to this committee. They were invited once already as part of the stakeholder groups, and as we were told, they didn't respond. So this is a second invitation for them, perhaps underlying the committee's desire to speak to them, that might produce a result.

The Chair: But as I understand, the motion is for a specific invitation to appear before the committee.

Ms Blakeman: As compared to a written submission. Fair enough.

The Chair: Further discussion?

Ms Blakeman: No. That's good.

The Chair: Okay. The motion as I understand it is to invite the Calgary city police, the Edmonton city police, the RCMP, and the Alberta sheriffs' office to appear before the committee for discussion on Bill 204.

The Chair: All in favour? Those opposed?

Mr. McFarland: Opposed.

The Chair: One opposed. The motion is carried.

Okay. Can we continue on with some further general discussion on anything else we might want to identify as issues that we might want more information on to sort of pinpoint the issues we want to debate?

Mr. Taylor: Well, it seems to me that one very clear issue that we're going to have to wrestle with here is the research that Philip has come up with. It's a little bit contradictory in places, but it gives me the overall impression that there is no difference in safety around the use of a hand-held and a hands-free device. Especially as we take into consideration, even though nobody has put a motion on the floor to invite the motor vehicle dealers' association to make a public presentation, the issue of factory-installed versus after-market hands-free devices and the automobile manufacturers' argument that when they build it right into a new car, the safety considerations are taken into consideration, I think that we have to somehow come to terms, and I put it out to everybody else here to see if there are any good ideas around the table as to how we might do this.

We have to somehow come to terms with the notion that we're dealing here with a bill that seeks to ban the use of hand-held cellphone communication devices while the car is in motion, and we are apparently only focusing on half the problem there. This is quite apart from all the other distracted driving issues that we've talked about on and off over the course of this meeting. So there it is, a question to the committee generally: what do we do to come to grips with the notion that hands-free devices don't appear to be any more safe than hand-held communication devices?

The Chair: Well, I think you certainly identified one of the issues: do we stick with the bill as to hand held, or do we expand it to hands free as well? That certainly identifies an issue.

Any further comments, questions?

Mr. Marz: I think another interesting question to ask the officers if they appear before the committee would be about how safe they feel driving a vehicle while operating a hands-free communication device themselves and if they should be included in the legislation.

The Chair: So the issue is whether there should be an exemption for emergency vehicles?

Mr. Marz: Yeah. Emergency vehicles are typically travelling faster in an emergency situation, so it partly compounds the safety of the general public if they're also talking on hands-free phones. It would be interesting to see what their response will be to that type of question. I'd be happy to ask that when they appear.

The Chair: Okay. Remember that for next time.

Mr. Marz: I will.

The Chair: Any other issues?

Mr. Mason: I guess I'm half convinced by the department's contention that we should be dealing with this in the context of distractions as a whole, but one thing that was pretty clear to me from the questions and answers is that what they've got in legislation now isn't doing the trick from an enforcement point of view. You know, it's kind of wishful thinking on their part that this would be a good deterrent, but in actual practice the police and the courts aren't utilizing it. I would hope that when we talk to the police, we can address the whole question of distraction generally and what the tools are that they need to deal with it. That would be where I would be going.

The Chair: Any issues regarding the novice drivers as identified in the bill? Not an issue, I guess.

Mr. McFarland: Mr. Chairman, it's Barry.

The Chair: Yes, Barry.

Mr. McFarland: Not to be overly derogatory or negative about anything, Mr. Chairman, I just wanted to know if a bill were to pass and it had different provisions for young drivers – I can understand the intent – it might be interesting to know just how the police would intend to enforce something when they're looking at a car going by at the speed limit, whether it's in town or out of town, and trying to guess at the same time if the person is this different class of age group; you know, the young person. Otherwise, you're stopping people just to stop them. I understand the point, but I don't understand the practicality of it when it comes to enforcing. That's my question for a future meeting.

The Chair: Okay. Thank you.

Does anyone else have any other comments?

Well, if not, I guess we can move on. We will hopefully have some representations at the next meeting so that we can ask further questions on these issues.

Is there any other business the committee wishes to raise at this time? If not, the date of our next meeting is scheduled for September 29 from 10 to 12. I guess that means no lunch, eh?

Mr. Mason: It was very good, Mr. Chairman.

The Chair: I thought it was very good, too.

We'd certainly encourage members to come prepared to discuss Bill 204 as well as ask questions of the police officers that come forward and to start making some recommendations because we've got to move forward if we're going to get our job accomplished. We will be scheduling some further meetings, obviously. Jody will be in touch with you to check on your schedules, and we'll get some further meetings because we're going to have to get moving on. Since the session is starting on the 14th, we'll have to be squeezing things in between sessions.

Anything further? Okay. A motion to adjourn? Mr. Amery. The meeting is adjourned.

[The committee adjourned at 1:09 p.m.]

