

Distracted Driving Canadian Legislation Chart

| Province/ Territory ¹ | Cellular Phone Legislation | Other Legislation | Novice Driver/ Graduated Licence Program | Fine | Points |
|--|--|--|---|--|----------|
| <p>British Columbia</p> <p>Motor Vehicle Act, Section 214</p> | <p>A driver must not use* a hand-held cellular phone while operating a motor vehicle, or send or receive text messages or email on any electronic device. The use of cellular phones in hands-free mode is permitted if used in a hands-free manner, is voice-activated or required one touch to initiate, accept or end call, and the device is fixed to the vehicle or worn on the person's body, and the device is installed in a way that does not obstruct the driver's view.</p> | <p>A driver must not operate a motor vehicle with a television screen unless it is securely fixed to the vehicle so it does not obstruct the driver's view and the image displayed is not visible to the driver, unless it displays information related to the operation of the vehicle. A driver using a global positioning system (GPS) for navigation must ensure the device is installed onto the vehicle so it does not obstruct the driver's view, must not be held in the hand, and must program the device before driving or by voice activation. A driver may use a hand-held audio player if the device is not in their hand, but is fixed to the vehicle or worn on their body, and is played through vehicle speakers. A driver may use a hand or two-way microphone while driving if it is within reach and the device is securely installed onto the vehicle so it does not obstruct the driver's view, or is fixed on the body.</p> | <p>One distracted driving infraction: considered high-risk, reviewed by Driver Improvement Program, with potential of a 1-6 month prohibition. Tickets can be issued for any distraction, including hands-free and navigation. If driver has 3 or more points, they automatically undergo a review by Superintendent of Motor Vehicles.</p> | <p>\$368 + \$210 ICBC Driver Penalty Point Premium = \$578 total</p> <p>Two or more offences in a three-year period: charged Driver Risk Premium, billed annually, separate from insurance premiums.</p> | <p>4</p> |

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| <p>Alberta</p> <p>Traffic Safety Act, Bill 16, Sections 115.1-115.4</p> | <p>A driver must not use* a hand-held cellular phone while operating a motor vehicle. Drivers may use cellular phones in hands-free mode.</p> | <p>A driver must not operate a motor vehicle if the display screen of a television, computer, or other device, excluding those that provide vehicle information, is activated and visible to the driver. A driver may use a GPS unit for navigation purposes while operating a motor vehicle if the device is securely fixed to the vehicle, is not held in the individual's hand, is voice-activated or programmed before they begin driving. A driver must not operate a motor vehicle while engaged in an activity that distracts them from safe operation of the vehicle, including reading or viewing printed material, writing or sketching, or engaging in personal grooming or hygiene.</p> | <p>-</p> | <p>\$287</p> | <p>3</p> |
| <p>Saskatchewan</p> <p>Traffic Safety Act, Division 6, Section 241 and 241.1</p> | <p>A driver must not use* a cellular phone while operating a motor vehicle. A driver who is not a new driver may use a voice-activated or hands-free device, or press a button once on the device to make a phone call.</p> | <p>A driver must not operate a vehicle equipped with a television, video or computer screen, unless the device is securely mounted and located so it does not obstruct the view of the driver, or the screen displays information solely related to the vehicle or is used to navigate.</p> | <p>All hands-free cellular devices prohibited for drivers in GDL program.</p> | <p>1st offence: \$280 2nd offence within 1 year: vehicle seizure up to 7 days</p> | <p>4</p> |

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| Manitoba Highway Traffic Act, Sections 214(3), 214(4), and 215.1 | A driver must not use* a hand- operated cellular phone while operating a motor vehicle, unless the phone is used in a hands-free manner. | A driver must not operate a vehicle equipped with a television set unless it is positioned behind the driver's seat and the screen is not visible by the driver. | - | 1st offence: \$672, 3 day licence suspension 2nd offence in 10 years: 7 day licence suspension, \$50 fee to regain licence | 5 |
| Ontario Highway Traffic Act, Sections 78 and 78.1 | A driver must not hold or use* a hand-held cellular phone while operating a motor vehicle. A driver may use a cellular phone in hands-free mode. | A driver must not operate a motor vehicle if the display screen of a television, computer or other device is visible to the driver, unless it is a GPS securely mounted to the dashboard or built in (pre-programmed prior to driving or using voice commands), a collision avoidance system, or related to the status of the motor vehicle. A driver may not operate a motor vehicle while using a hand-held electronic entertainment device, such as a tablet. | Minimum 30 Day suspension for first offence, 90 day for second offence, licence cancellation and removal from GDL for third offence. Same fines, no demerit points. | 1st offence: minimum \$500, no more than \$1,000, 3 day licence suspension 2nd offence: minimum \$500, no more than \$2,000, 7 day licence suspension 3rd offence: minimum \$500, no more than \$3,000, 30 day licence suspension | First offence: 3 Second and third offence: 6 |

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| Quebec Highway Safety Code, Section 443.1 | A driver must not use* a hand-held cellular phone while operating a motor vehicle. Driver may use a hands-free device. | A driver must not use any portable device designed to transmit or receive information or for entertainment purposes, or use a display screen unless it is hands-free, is viewed on a display screen and is related to motor vehicle operation, is integrated or mounted to the vehicle, does not obstruct the driver's view, and can be viewed easily. | - | 1st offence: \$300 to \$600 2nd offence (in two years): double the minimum fine or \$600, 3 day licence suspension 3rd offence (in two years): double the minimum fine or \$600, 7 day licence suspension 4th offence (in two years): double the minimum fine or \$600, 30 day licence suspension | 5 |
| New Brunswick Motor Vehicle Act, Sections 265.02 and 265.04 | A driver must not use* a hand-held cellular phone while operating a motor vehicle. A driver may operate a motor vehicle while using a cellular phone in hands- free mode, using voice commands or touching the device only once to accept, initiate or end a telephone call. | A driver must not operate a motor vehicle in which a display screen is visible to the driver unless it is a built-in screen installed by the manufacturer or according to the manufacturer's instructions and either displays information on road or weather conditions, functions as a GPS device (programmed prior to driving), or displays information on the condition of various systems in the immediate environment of the motor vehicle. | - | \$172.50 | 3 |

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| Nova Scotia Motor Vehicle Act, Sections 100D(1) and 184(7) | A driver must not use* a hand-held cellular phone or engage in text messaging while operating a motor vehicle. | A driver must not operate a motor vehicle equipped with a television screen located forward of the driver's seat or that is visible to the driver. | - | 1st Offence: \$233.95 3rd Offence (and over): \$578.95 | 4 (3rd offence) |
| Prince Edward Island Highway Traffic Act, Sections 133 and 291.1 | A driver must not use* or hold a hand-held cellular phone while operating a motor vehicle. A driver may operate a motor vehicle while using a cellular phone in hands- free mode. | A driver must not operate a motor vehicle equipped with a television set or carrying a television set while the set is in operation. | 30-day suspension for 1st offence. 90-day suspension for subsequent offences. | \$575-\$1,275 | 5 |
| Newfoundland and Labrador Highway Traffic Act, Sections 34 and 176.1 | A driver must not hold or use* a hand-held cellular phone while driving a motor vehicle. A driver may operate a vehicle while using a cellular device in hands-free mode. | A driver must not operate a motor vehicle equipped with a television set located in front of the driver's seat or visible to the driver while they are operating the vehicle, unless it is a closed circuit television system or display unit used to assist in the operation of the vehicle. | - | 1st offence: minimum \$300, maximum \$500 2nd offence: minimum \$500, maximum \$750 3rd offence: minimum \$750, maximum \$1,000 | 4 |

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| Yukon Motor Vehicles Act, Sections 132 and 210.1 | A driver must not use* a hand-held cellular phone while operating a motor vehicle. A driver may operate a motor vehicle while using a cellular phone in hands-free mode. | A driver must not operate a motor vehicle equipped with a television set unless it is located and operated so that the driver cannot see the screen while the vehicle is in motion. | GDL drivers lose all hours of driving experience and must restart the program. | \$500 | 3 |
| Northwest Territories Motor Vehicle Act, Sections 155.1 | A driver must not use* a hand-held cellular phone while operating a motor vehicle. A driver may operate a motor vehicle while using a cellular phone in a hands- free manner. | - | Suspensions of 24 hours, 7 days and 30 days for the 2nd, 3rd, and 4th distracted driving offences in a two- year period. | \$322; \$644 in school and construction zones, suspensions for 2nd, 3rd, 4th offences in two-year period | 3 |
| Nunavut Motor Vehicle Act, Section 239.1 and 239.2 | A driver must not hold or use* a hand-held electronic device. A driver may use a device in hands-free mode. | A driver must not operate a motor vehicle equipped with a display screen or viewing screen directly or indirectly visible to the driver while they are operating the vehicle, unless it is built into the vehicle, a back-up screen, a GPS. | - | - | - |

Endnotes

¹ For information purposes only. Please consult local authorities for further interpretation and current status.

* Use is further defined as holding the device in a position which it may be used, operating any of the device's functions or communicating by means of the device, including making, answering or ending a phone call, texting, e-mailing, or accessing the Internet.

Provincial and Territorial Government Links:

Government of Alberta <https://www.alberta.ca/distracted-driving.aspx>

Government of British Columbia <https://www2.gov.bc.ca/gov/content/transportation/driving-and-cycling/road-safety-rules-and-consequences/distractions>

Government of Manitoba <https://www.mpi.mb.ca/Pages/distracted-driving.aspx>

Government of New Brunswick https://www2.gnb.ca/content/gnb/en/departments/public-safety/community_safety/content/promo/driver_distraction/law.html

Government of Newfoundland and Labrador <http://www.tw.gov.nl.ca/>

Government of Northwest Territories <https://www.inf.gov.nt.ca/en/services/conducteurs-et-vehicules/distracted-driving%C2%A0>

Government of Nova Scotia <http://www.gov.ns.ca/tran/roadsafety/roadsafety.asp>

Government of Nunavut <http://www.gov.nu.ca/edt/transportation>

Government of Ontario <https://www.ontario.ca/page/distracted-driving>

Government of Prince Edward Island <https://www.princeedwardisland.ca/en/information/transportation-infrastructure-and-energy/distracted-driving>

Government of Quebec <https://www.transports.gouv.qc.ca/en/code-securite-routiere/Pages/csr.aspx>

Government of Saskatchewan <https://www.sgi.sk.ca/distraction>

Government of Yukon <http://www.roadsafety.gov.yk.ca/trans/transportservices/roadsafety/distracted.html>