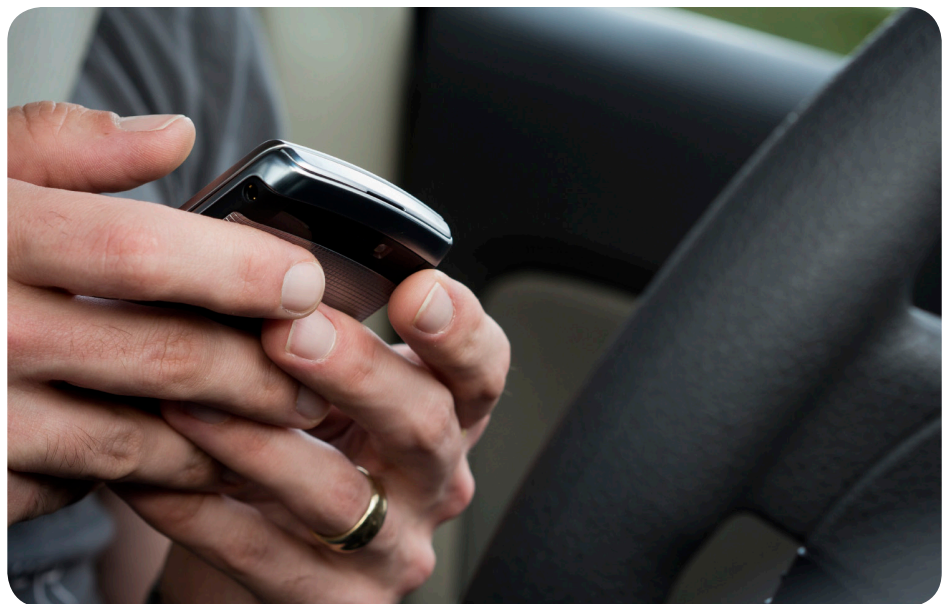


Distracted Driving The Influence of Digital Devices

According to the Ontario Provincial Police, distracted and inattentive driving causes more road deaths than drinking and driving and speed combined. A recent article from the CBC suggests distracted driving is the leading cause of road deaths.¹

On October 26, 2009, the passing of Bill 118 made it illegal for people to use hand held devices while driving. At that time, Ontario granted public service workers an exemption to this law to allow for hands-free devices to be developed. The end of that three-year exemption period, January 1, 2013, is now rapidly approaching. Is your company ready?



The law made it illegal to talk, text, type, dial or email using a hand-held cellular phone or other communication or entertainment device while driving. The law also prohibits drivers from viewing display screens unrelated to the driving task such as laptops or DVD players while operating a vehicle. According to the CAA, studies indicate crashes are exponentially more likely when drivers are using their smart phones while driving². For example, a driver talking on a cell phone is four times more likely to crash; a driver dialing a hand-held device is three times more likely to crash; and a driver who texts is twenty-three times more likely to crash. It appears talking and texting carry the highest degree of risk of all wireless device-related activities. A survey also indicated that 95% of respondents said texting while driving was unacceptable, yet 18% admitted they did it regardless.³

Recent court cases have shown having a company policy on the use of wireless devices by company drivers does not provide much protection from liability. The policy must be clear, must be enforced and documentation must be in place as evidence the policy has been communicated and is being followed by employees.

Additional resources for your information:

Video Simulator MTO

<http://www.mto.gov.on.ca/english/safety/distracted-driving/video.shtml>

Distracted Driving Simulator CAA

<http://distracteddriving.caa.ca/>

Distracted Driving Conference

Toronto March 2012

<http://www.distracteddriving.ca/english/program.cfm>

Insurance Study – Teens learn distracted driving from parents

http://sadd.org/press/presspdfs/SADD%20Survey_Parental%20Influence_Teen%20Driving_9%2012%2012.pdf

The MEARIE Group's Reciprocal News

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¹ "Distracted driving is the leading cause of road deaths," March 1, 2012, www.cbc.ca/news/canada/toronto/story/2012/03/01/toronto-distracted-driving.html

² www.caasco.com/Community-Action/Road-Safety/Distracted-Driving.aspx

³ Willis, Strategic Outcomes Practice, Issue 30, August 2012, www.willis.com/Documents/Publications/Services/Claims_Management/YSK_30_Distracted_Driving.pdf

The following are recommended best practices to consider for inclusion in your Vehicle Policy:

1. Current policies should be reviewed and reevaluated as they may have been written before the introduction of smart phones or Bill 118. Your existing policy may simply address talking while driving and it should be updated to include, talking, texting, instant messaging, web surfing or other activities today's devices may offer.

2. Your policy should be short, simple, concise and easy to understand.

Consider an outright ban on using any device while driving and avoid including conditions under which a device may be used while driving. Your policy could state the vehicle must be parked before the driver is allowed to touch a device.

3. It may be best to **have a standalone policy** related to the use of hand held devices rather than including it in other company vehicle policies where it may get overlooked.

4. The policy should be communicated and documentation should be maintained for each company driver, confirming they have read, understand and agree to abide by the policy. All drivers should be held accountable for upholding the policy, regardless of position. Where necessary, all policy violations should be documented and disciplinary actions carried out as appropriate.

5. Consider investigating technologies that may help limit or track the wireless devices used by employees while operating a company vehicle. Technologies to consider may include smart phones that automatically send calls to voice messaging; or in-cab electronic devices that can sense wireless devices in operation. Track use and warn staff they could be in violation of your company policy.

6. Conduct ongoing training to remind your staff of your company policy. Document training and keep records to ensure your policy is being enforced.

7. Senior management buy-in is most important. If executive management is seen as not thinking the policy is important or that it does not apply to them, how can you expect others to follow?

Wireless devices can make your staff more productive during times which were formerly seen as unproductive. However this increase in productivity may create a liability exposure for your company. Review your company policies to ensure they are up to date and are being followed and enforced. The best policy and procedure is only as good as when it is used.



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