

Motor Vehicles Act Amendments 2010

Distracted Driving

Public Consultation Report

2010/10/19



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Executive Summary

On December 2, 2009, the Yukon Legislative Assembly debated and passed Motion 836, intended to address the issue of cell phone and electronic device use while driving. The Department of Highways and Public Works conducted a public consultation exercise on the subject between July 15 and August 13, 2010. The method chosen was a mass-mail survey to all Yukon addresses, as well as First Nations' and transportation industry stakeholders.

Public participation in the survey was strong, with a total of 1,684 responses received. The results of the survey indicate very strong agreement among the respondents that:

- The use of electronic devices while driving is unacceptable;
- Police should have the ability to charge drivers with an offence if using an electronic device while driving;
- Police should have the ability to inspect an electronic device found in a car to determine if the device was being used by a driver prior to a crash;
- Certain drivers such as those for buses, taxis and trucks should not be provided any exception to prohibitions on the use of electronic devices while driving; and
- There are many other unacceptable distractions while driving, such as personal grooming, eating, drinking, and unrestrained pets and animals.

There is no appreciable difference in opinion between respondents that live in Whitehorse and those that live in any of the rural communities. There is also no significant difference in opinion between female and male respondents. There are some slightly larger differences in opinion across age groups. However, there is general agreement for each group with the overall survey results (no single group contradicts the overall survey).

The survey results for each question in the survey are as follows:

Figure ES1 Agree as Unacceptable Distractions While Driving

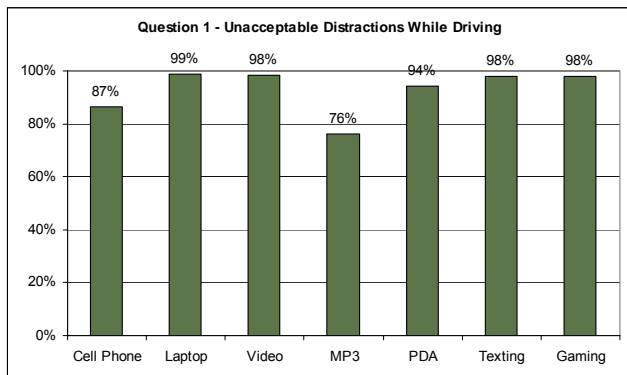


Figure ES2 Support Police Ability to Charge for Unacceptable Distractions

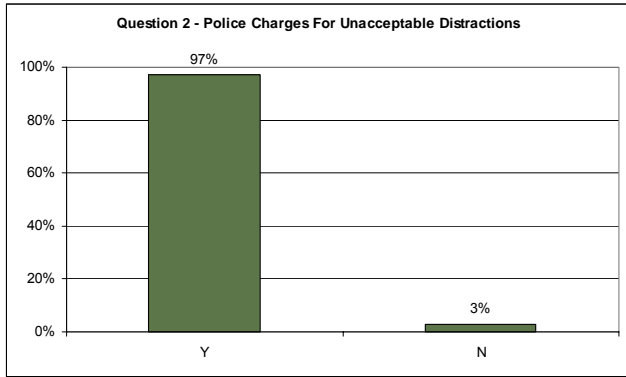


Figure ES3 Support Police Ability to Inspect Devices After Crash

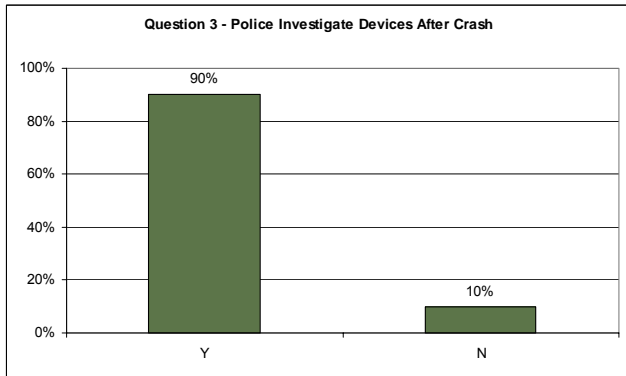


Figure ES4 Support Exceptions For Certain Drivers

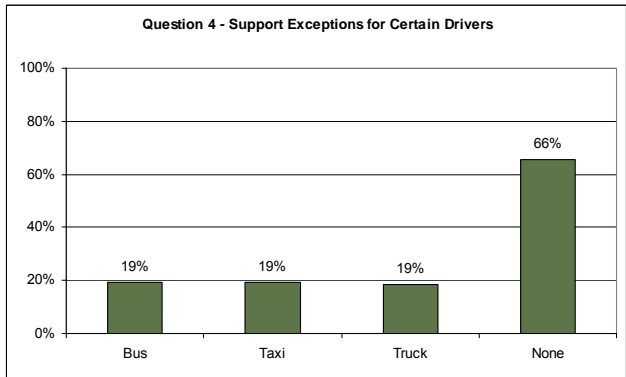


Table ES5 Other Unacceptable Distractions

Distraction Type	Total
Makeup	271
Grooming*	406
Eating/Drinking	318
Pets/Animals**	166
Radio/Music***	148
Children****	138
Reading/Writing	138
GPS	86

* Includes applying makeup, grooming, shaving, combing/brushing hair, brushing teeth.

** Unrestrained pets and pets sitting on driver's lap.

*** Adjusting radio, stereo, changing CDs, DVDs, loud music.

**** Unrestrained children and drivers attending to children while driving.

1. Background

On December 2, 2009, the Yukon Legislative Assembly debated and passed Motion 836, stating “THAT this House urges the Government of Yukon to consult with Yukoners before introducing amendments to the *Motor Vehicles Act* to prohibit the use of hand-held cell phones and other similar electronic devices while driving or operating a motor vehicle on a highway, except as provided for by law”.

The Department of Highways and Public Works proceeded with the necessary work and documentation (Legislation Overview Committee, Policy Review Committee, etc.) to address Motion 836, including development of a survey, starting in January 2010. Approval to proceed with public consultation was provided by Cabinet on June 10, 2010. After finalizing design changes to the survey forms, the consultation period started July 15, 2010, with a final deadline of August 13, 2010.

1.1. Survey Methodology

Due to the lack of identified budget funds for this project, a mass-mail survey to all Yukon addresses was provided. Pre-paid postage was provided with the return address to encourage respondents to respond within the survey period. Addresses that registered with Canada Post as not wishing to receive “junk mail” did not receive these surveys. A total of 12,895 surveys were distributed via this method.

Copies of the survey (including pre-paid postage) were provided for distribution at each Territorial Agent and Representative in the communities outside of Whitehorse (approximately 20 – 30 each), Motor Vehicles in Whitehorse, and L’Association franco-yukonnaise. Each Yukon First Nation and the Council of Yukon First Nations were also provided 15 additional pre-paid postage surveys for distribution at their offices. As well, one pre-paid postage survey was provided directly to transportation stakeholders identified as members of the Yukon Transportation Association, and taxi service providers (where an address could be determined). French language versions of the survey were provided to Territorial Agents in Dawson City and Haines Junction, Motor Vehicles in Whitehorse, and L’Association franco-yukonnaise. A total of 14,000 English and 300 French surveys were produced.

The survey was also made available via the Yukon Government internet web site. These could be printed by the respondents, completed and returned either via mail or internal mail. Pre-paid postage was not provided.

1.2. Survey Design

A copy of the survey is provided in Appendix 1. Additional information surrounding the topic of distracted driving was provided where space was available. A total of six questions were asked:

1. Various electronic devices are being used by some drivers inside vehicles. Which of these activities do you think are **unacceptable** distractions when driving? Please check all that apply.
 - Talking on a cell phone
 - Using a laptop computer
 - Using an electronic device to watch video while driving
 - Listening to an MP3 player through headphones
 - Using a PDA (Blackberry, iPhone etc.)
 - Texting on a cell phone
 - Using an electronic gaming device
 - Other(s)

2. Should police be able to charge drivers for **unacceptable** distractions identified in Question #1?

3. Should police have the authority to inspect electronic devices found in a vehicle to see if they were being used by a driver prior to a crash?

4. Other provinces allow police, ambulance workers and firefighters to use electronic devices while driving. Do you think this exception should include others so that they can use electronic devices while driving? If yes, please check all that apply.
 - Bus drivers (school buses, transit, and commercial bus companies)
 - Taxi drivers
 - Commercial truck drivers
 - Other(s)
 - None of the above

5. What other things cause **unacceptable** distractions while driving?

6. Information about survey participants (optional)

I am: Male Female

I live in _____ (community)

I am: 16-24 25-44 45-64 Over 65

2. Survey Results

Public response to the survey request is quite strong, totalling 1,684 submissions, which is over 13% of the target addresses to which they were delivered. As of August 6, 2010, there are a total of 25,736 Yukon driver's licence holders¹, indicating that the survey results are accurate to plus or minus 2.3%, 19 times out of 20.

2.1. Demographic

Question 6 of the survey provides the opportunity to analyze results across different demographic groups. Analysis is able to be undertaken on the basis of residency (rural Yukon vs Whitehorse), gender, and age groups. Not all surveys provided responses within all demographic indicators. Further, detailed analysis of survey results are provided in sections 2.7, 2.8, and 2.9 for residency, gender, and age, respectively.

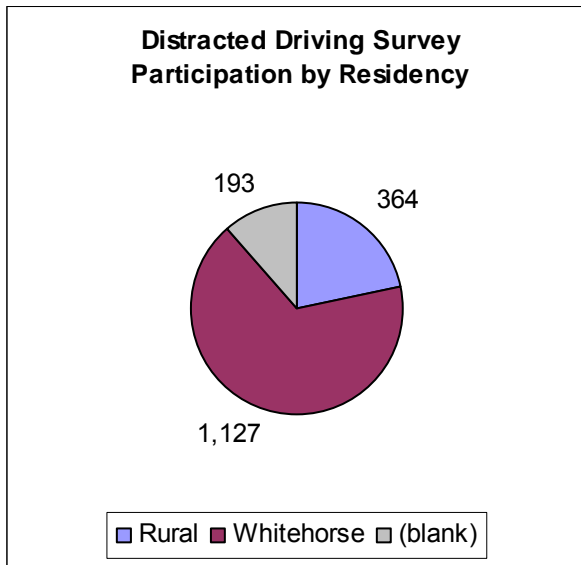
2.1.1. Residency

Figure 2.1.1 shows the number of responses on a rural vs. Whitehorse basis. Of the surveys that indicate the community in which the respondents reside, 24% are from rural Yukon while 76% are from Whitehorse. This compares to December 2009 population statistics (the latest available), that indicate 25% of Yukoners reside outside of Whitehorse, and 75% reside within the Territorial capital.²

¹ Government of Yukon, Motor Vehicles.

² Yukon Bureau of Statistics, Yukon Monthly Statistical Review, June 2010, p.3.

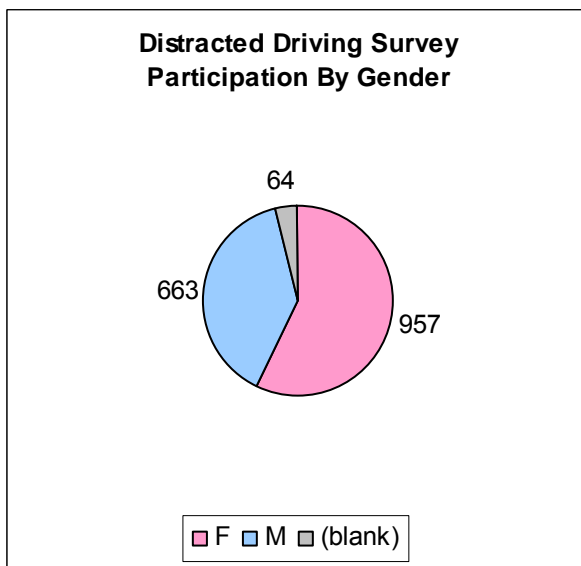
Figure 2.1.1 Survey Participation by Residency



2.1.2. Gender

Figure 2.1.2 shows the survey participation by gender. For respondents that did not omit this portion in the responses, 59% are female, and 41% are male. General Yukon-wide population figures indicate that 49% of Yukoners are female, and 51% are male.³

Figure 2.1.2 Survey Participation by Gender



³ Ibid

2.1.3. Age Groups

Figure 2.1.3 shows participation in the survey for respondents that indicate their age. Table 2.1.3 compares this participation rate with the general population.

Figure 2.1.3 Survey Participation by Age Group

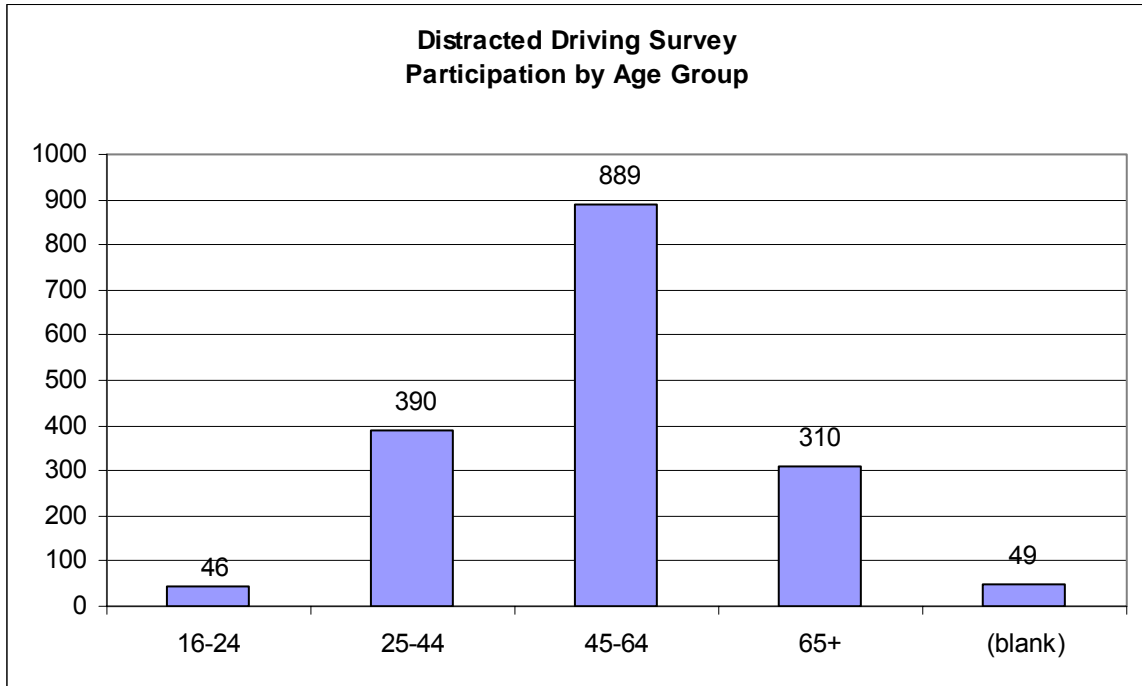


Table 2.1.3 Survey Participation vs. General Population By Age Group

Age Group	Survey	Population ⁴
16-24 ⁵	3%	17%
25-44	24%	34%
45-64	54%	39%
65+	19%	10%

2.2. Question 1 – Unacceptable Distractions

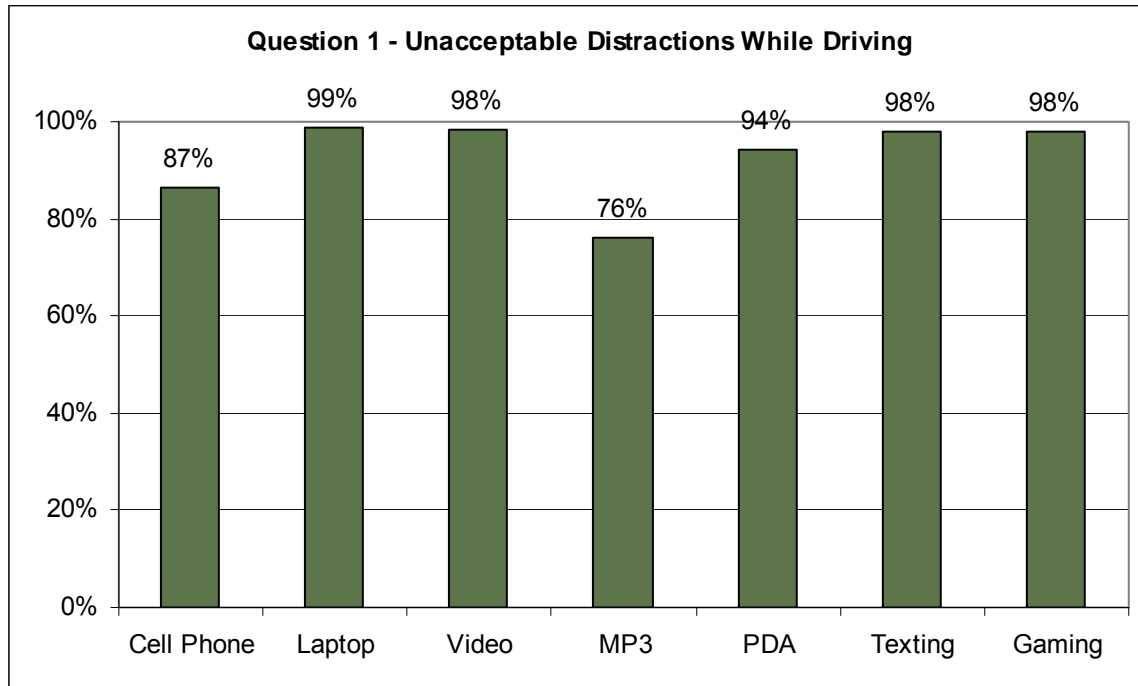
For most of the devices listed, there is near-unanimous agreement (above 90%) that using them while driving is unacceptable. Nearly 100% of respondents indicate that using a laptop computer, watching video, using a personal digital assistant (i.e. Blackberry), texting on a cell phone and using a gaming device while driving are all unacceptable. An overwhelming majority (80% - 90%) of respondents also indicate that talking on a cell phone while driving a vehicle is unacceptable. While lower, a

⁴ Ibid

⁵ Age group 15-24 is used for general population analysis.

very strong majority (70% – 80%) of respondents also indicate that listening to music on an MP3 player through headphones while driving is unacceptable. Figure 2.2 shows these results. Nine respondents did not answer this question in any manner.

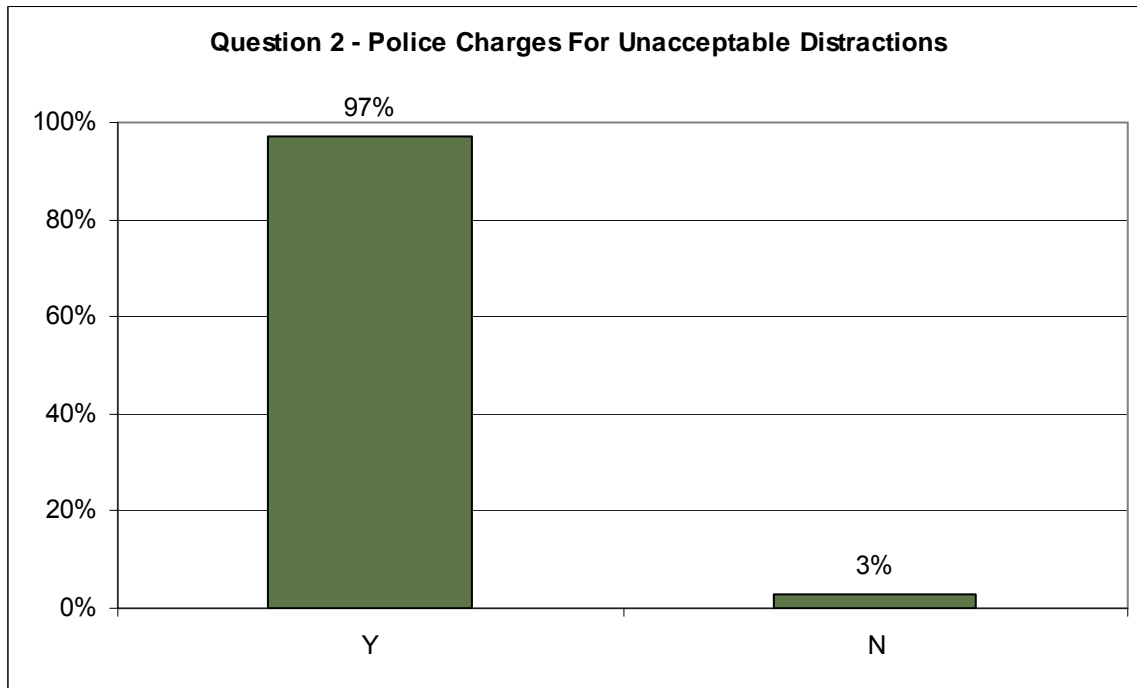
Figure 2.2 Unacceptable Distractions While Driving



2.3. Question 2 – Police Charges for Unacceptable Distractions

Question 2 asks: "Should police be able to charge drivers for unacceptable distractions identified in Question #1?". Overall, there is near-unanimous agreement that police officers should have this ability, and thus, that legislation should be created that defines offences for operating these devices while driving a vehicle. A total of 18 respondents did not provide an opinion on this question.

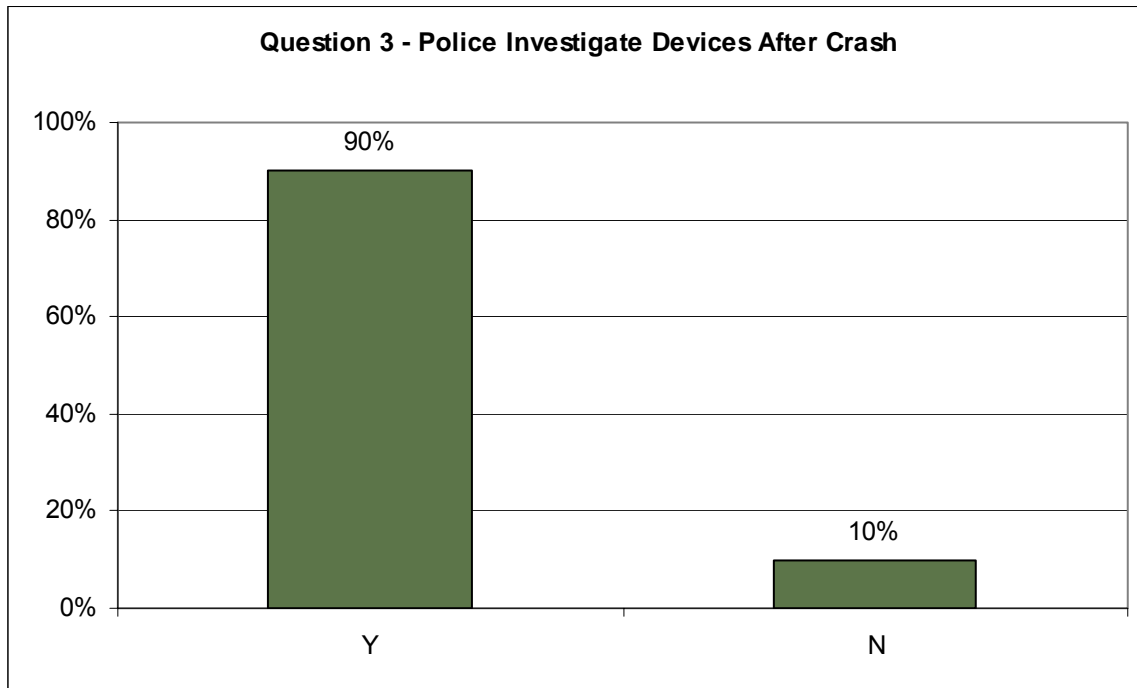
Figure 2.3 Police Charges for Unacceptable Distractions



2.4. Question 3 – Police Investigate Devices After Crash

Question 3 asks: “Should police have the authority to inspect electronic devices found in a vehicle to see if they were being used by a driver prior to a crash?”. This question is related to the enforcement ability of any proposed legislation related to the use of electronic devices while driving. The context of the question is important. It is presumed that a motor vehicle crash has already occurred prior to an officer demanding from a driver, and inspecting any such device. While support for this measure is slightly lower than that identified in the previous question, it is still near-unanimous, at 90%. As well, 53 respondents did not answer this question in any manner.

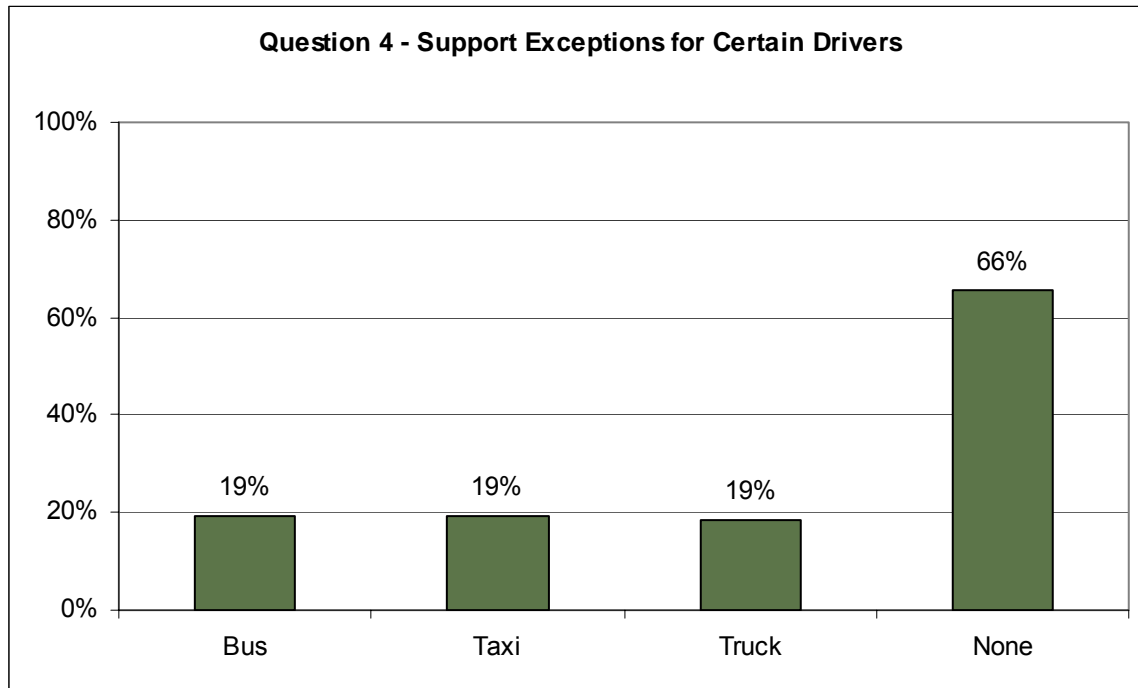
Figure 2.4 Police Investigate Devices After Crash



2.5. Question 4 – Exceptions for Certain Drivers

This question asks if certain drivers should be provided an exception to be permitted to use electronic devices while driving, simply as a matter of the type of vehicle that they drive. Specifically, respondents are asked if they support exceptions for bus, taxi, or commercial truck drivers. Support for such exceptions is very low at 19%. In fact, an overwhelming majority (81%) do not support exceptions for these driver types, with a majority of respondents (66%) indicating that no exceptions should be provided at all, regardless of driver type. This question was omitted by 94 respondents.

Figure 2.5 Support Exceptions for Certain Drivers



2.6. Question 5 – Other Unacceptable Distractions While Driving

This question affords respondents an open-ended opportunity to provide input on other unacceptable distractions that may or may not be related to electronic devices. The results from this question are aggregated with the “Other” responses from question 1, as many respondents are using them interchangeably. Table 2.6 shows the number of indications for each of the most frequent “other” unacceptable distractions and driver activities, with personal grooming activities being mentioned most often.

Table 2.6 Other Unacceptable Distractions

Distraction Type	Total
Makeup	271
Grooming*	406
Eating/Drinking	318
Pets/Animals**	166
Radio/Music***	148
Children****	138
Reading/Writing	138
GPS	86

* Includes applying makeup, grooming, shaving, combing/brushing hair, brushing teeth.

** Unrestrained pets and pets sitting on driver’s lap.

*** Adjusting radio, stereo, changing CDs, DVDs, loud music.

**** Unrestrained children and drivers attending to children while driving.

2.7. Survey Results Rural vs. Urban

During discussions with officials from Northwest Territories (NWT) on the issue of the use of cell phones and other electronic devices while driving, Yukon officials were informed that in the NWT, there is a big disparity in opinion on this issue, depending on whether a person resides in the territorial capital of Yellowknife, or in a smaller, rural community. It was deemed worthwhile to investigate if Yukon residents' opinions on this subject are similar to those of our eastern neighbour.

Survey results are aggregated for responses that indicate a non-Whitehorse residence (rural), and compared against those that indicate that the respondent lives in Whitehorse (i.e. urban). Analysis of these results shows very little difference in opinion on a rural vs. urban basis, as illustrated by the following charts and table.

Figure 2.7A Question 1 – Unacceptable Distractions by Residency

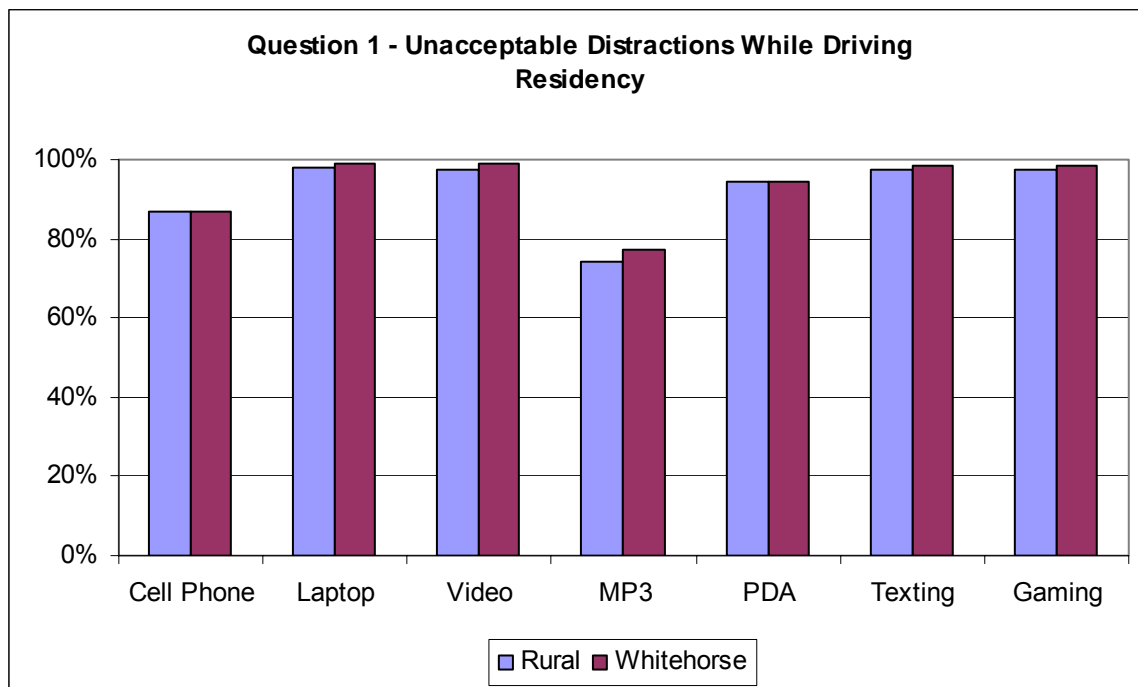


Figure 2.7B Question 2 – Police Charges by Residency

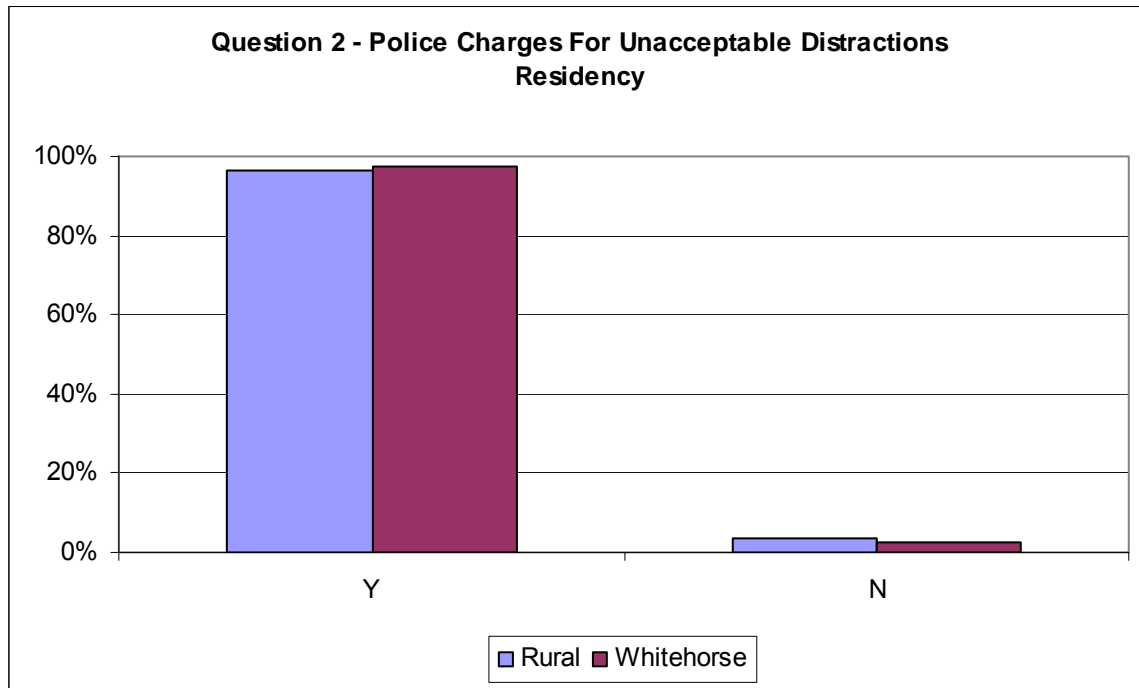


Figure 2.7C Question 3 – Police Investigate Devices by Residency

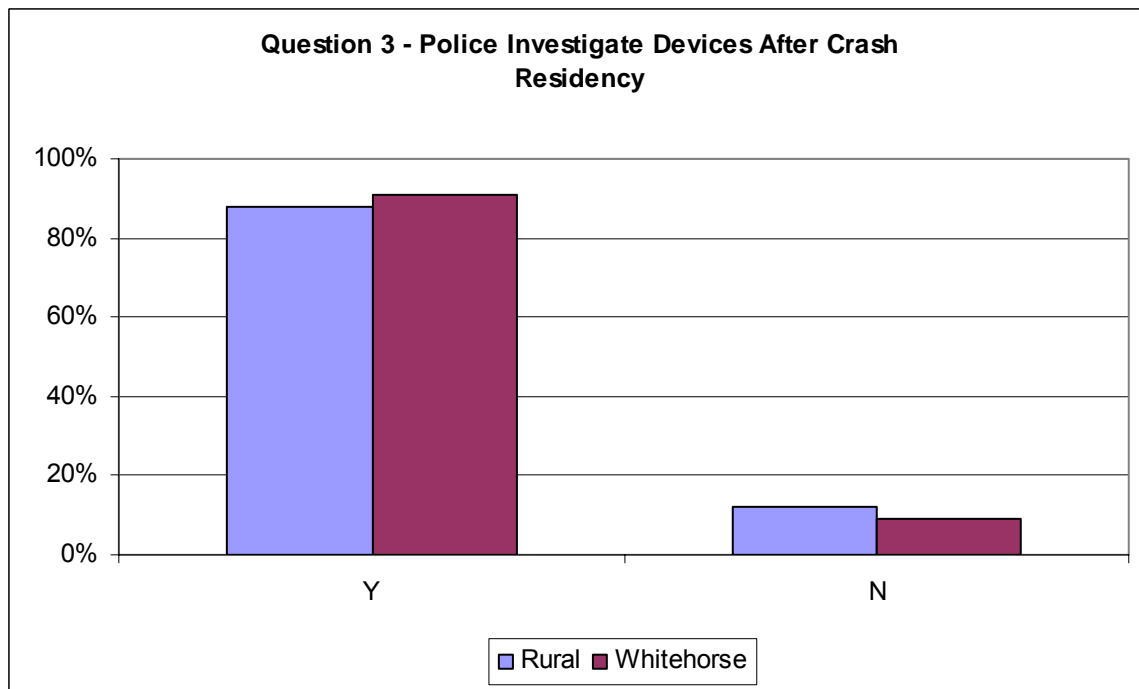


Figure 2.7D Question 4 – Exceptions for Drivers by Residency

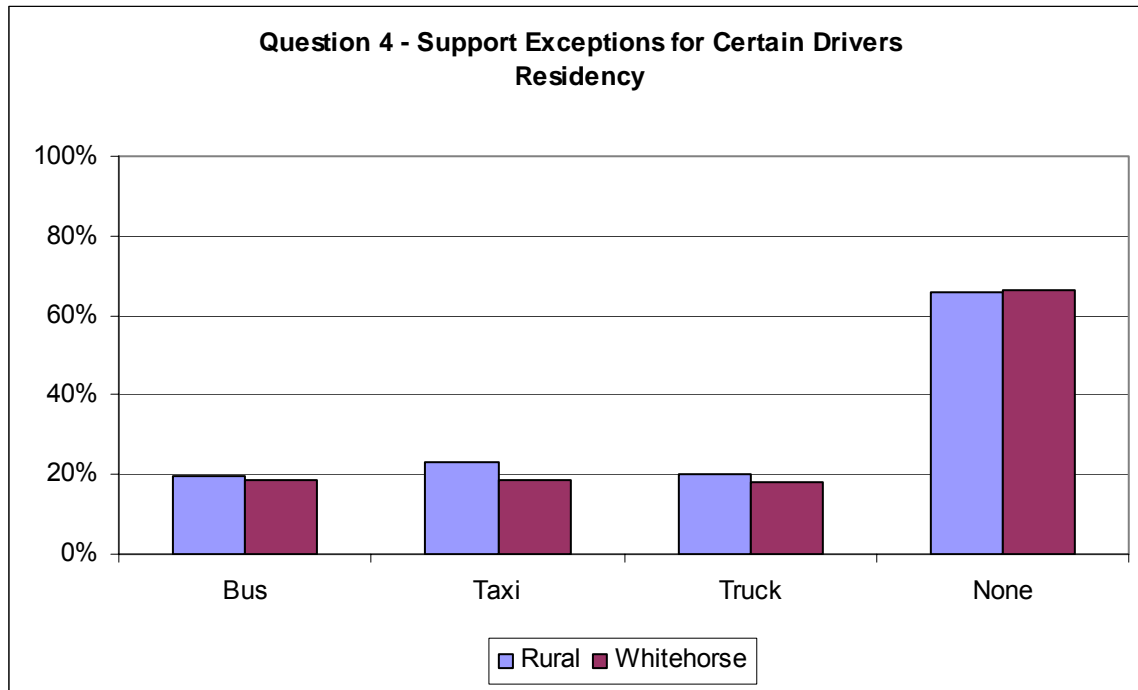


Table 2.7 Question 5 – Other Unacceptable Distractions by Residency

Distraction Type	Rural	Whitehorse	(blank)	Total
Makeup	42	203	26	271
Grooming*	60	311	35	406
Eating/Drinking	66	218	34	318
Pets/Animals**	33	114	19	166
Radio/Music***	27	110	11	148
Children****	25	100	13	138
Reading/Writing	26	100	12	138
GPS	13	65	8	86

* Includes applying makeup, grooming, shaving, combing/brushing hair, brushing teeth.

** Unrestrained pets and pets sitting on driver's lap.

*** Adjusting radio, stereo, changing CDs, DVDs, loud music.

**** Unrestrained children and drivers attending to children while driving.

2.8. Survey Results Across Gender

While there is a higher proportion of females responding to this survey than males, there is very little difference in opinion between these two groups, as evidenced by the following figures and table.

Figure 2.8A Question 1 – Unacceptable Distractions by Gender

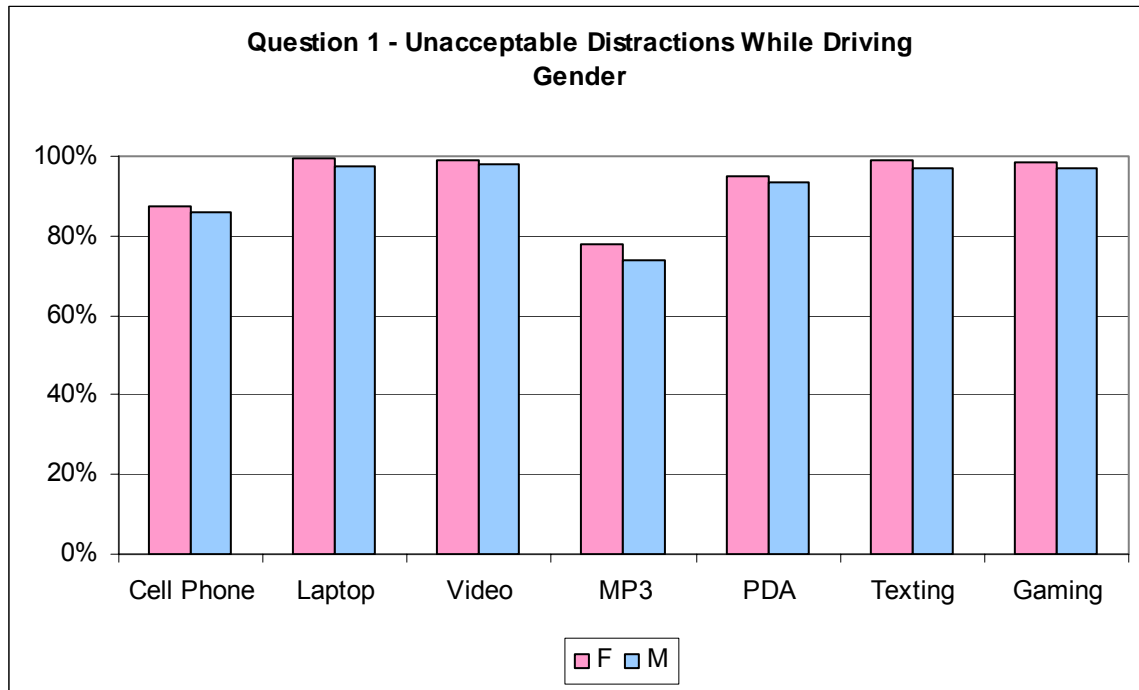


Figure 2.8B Question 2 – Police Charges by Gender

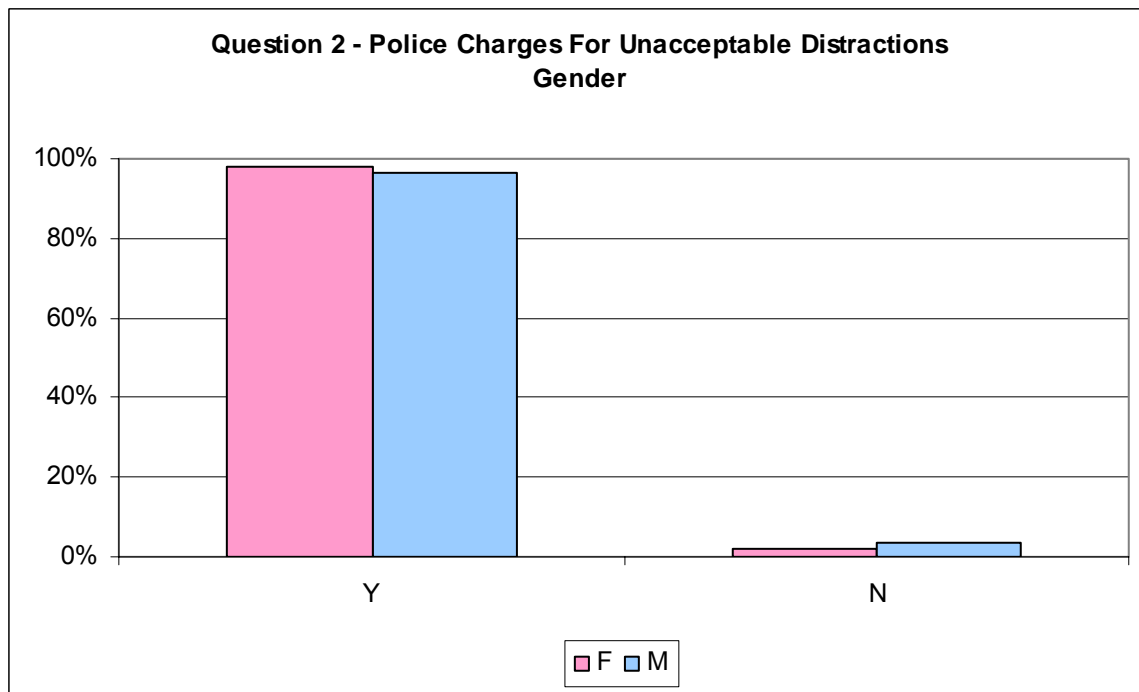


Figure 2.8C Question 3 – Police Investigate Devices by Gender

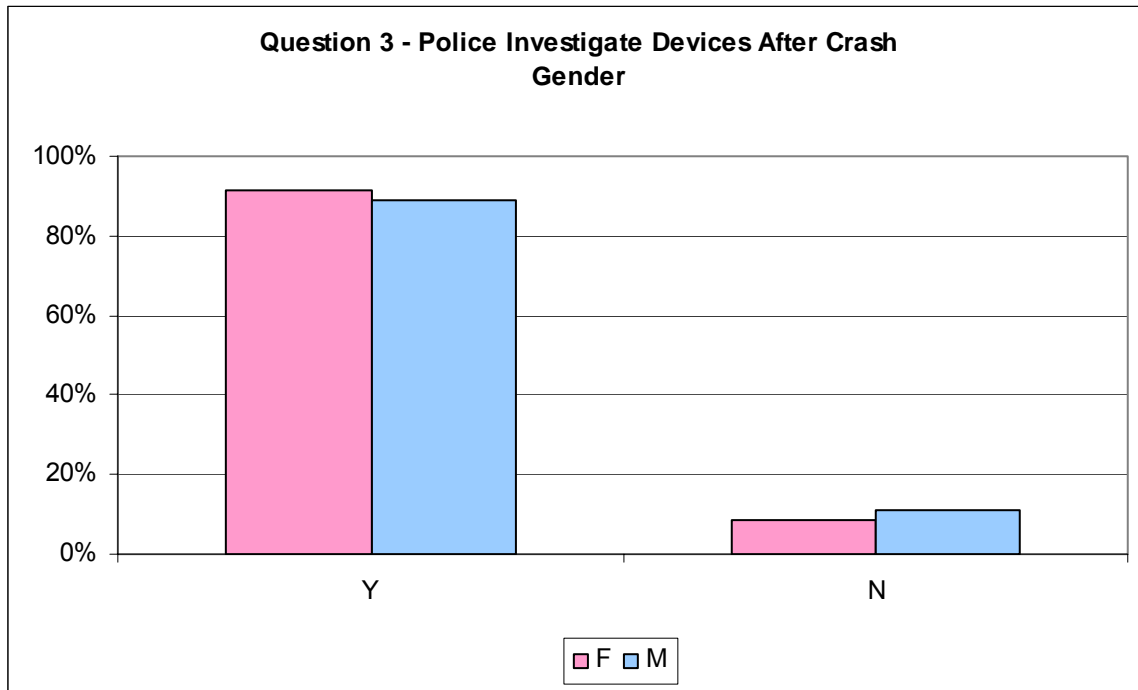


Figure 2.8D Question 4 – Exceptions for Drivers by Gender

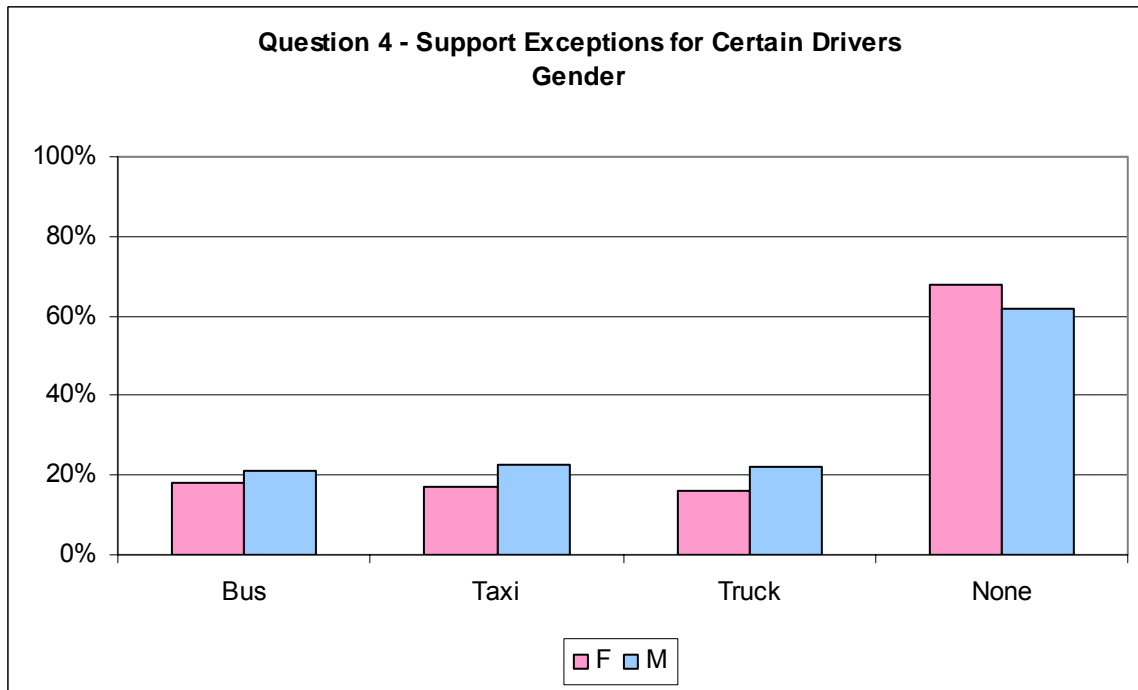


Table 2.8 Question 5 – Other Unacceptable Distractions by Gender

Distraction Type	F	M	(blank)	Total
Makeup	160	97	14	271
Grooming*	233	154	19	406
Eating/Drinking	182	119	17	318
Pets/Animals**	102	61	3	166
Radio/Music***	89	56	3	148
Children****	91	46	1	138
Reading/Writing	78	53	7	138
GPS	47	35	4	86

* Includes applying makeup, grooming, shaving, combing/brushing hair, brushing teeth.

** Unrestrained pets and pets sitting on driver's lap.

*** Adjusting radio, stereo, changing CDs, DVDs, loud music.

**** Unrestrained children and drivers attending to children while driving.

2.9. Survey Results Across Age Groups

Analysis of the responses by different aggregated age groups reveals wider variations in opinions for the five questions of the survey. While there are differing levels of support, no single age group presents opinions that are in substantial contrast to the results for the entire sample population. The widest variations across age groups are for whether cell phone use while driving is an unacceptable distraction (question 1), and whether police should have the ability to investigate electronic devices after a crash (question 3).

Figure 2.9A Question 1 – Unacceptable Distractions by Age Group

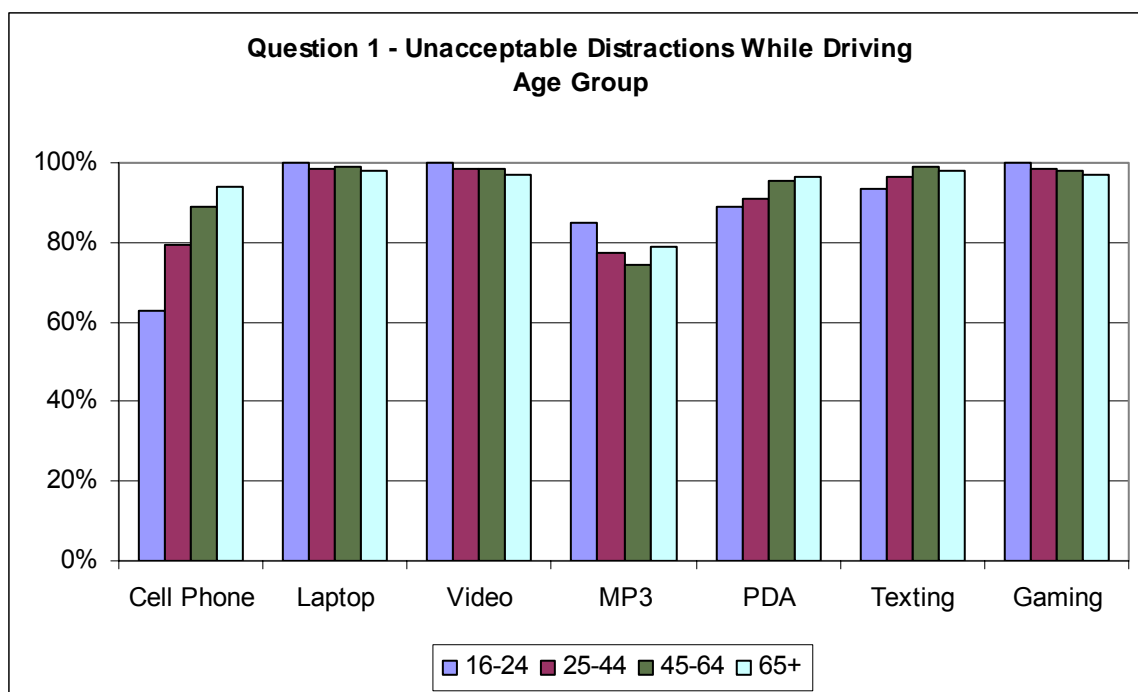


Figure 2.9B Question 2 – Police Charges by Age Group

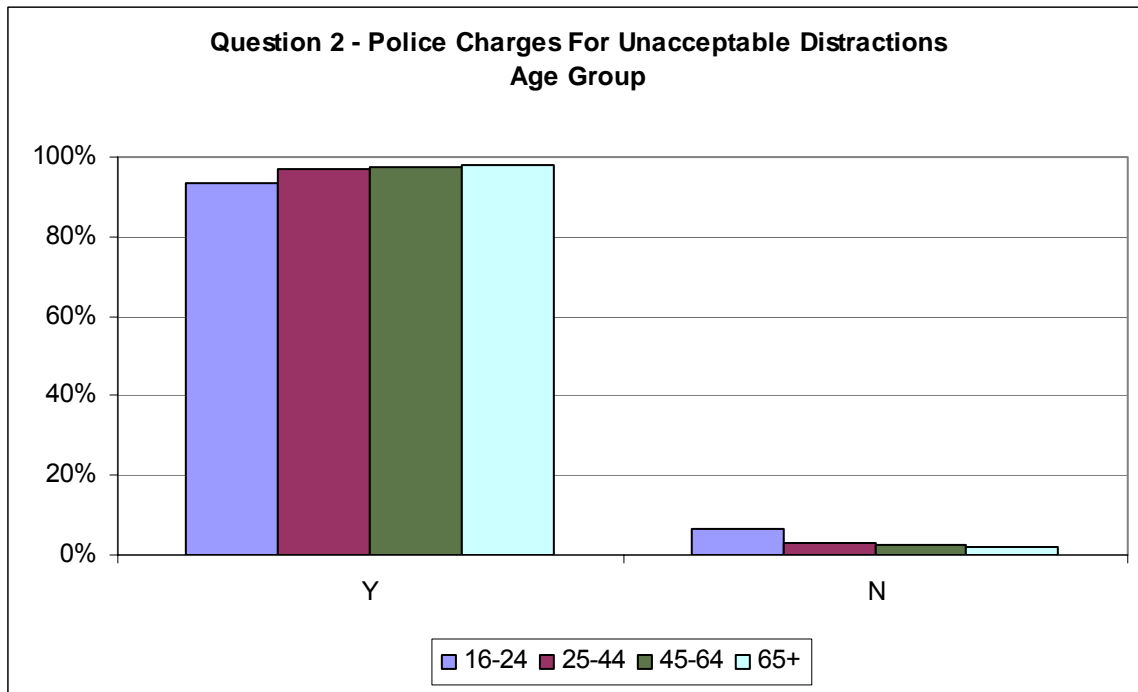


Figure 2.9C Question 3 – Police Investigate Devices by Age Group

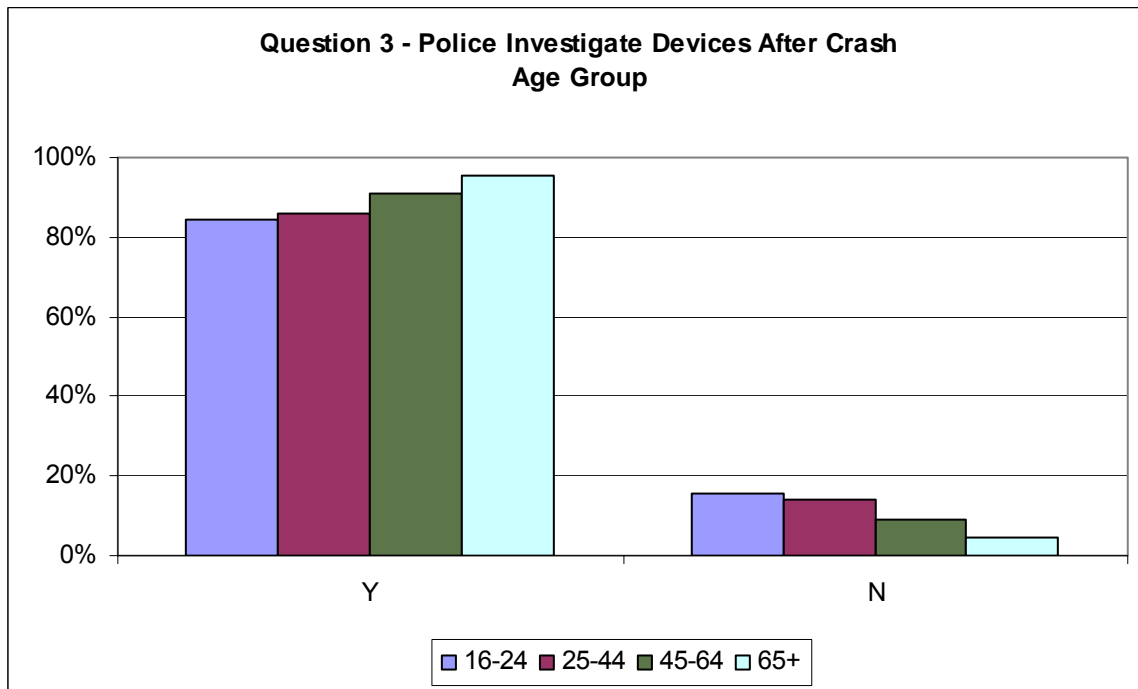


Figure 2.9D Question 4 – Exceptions for Drivers by Age Group

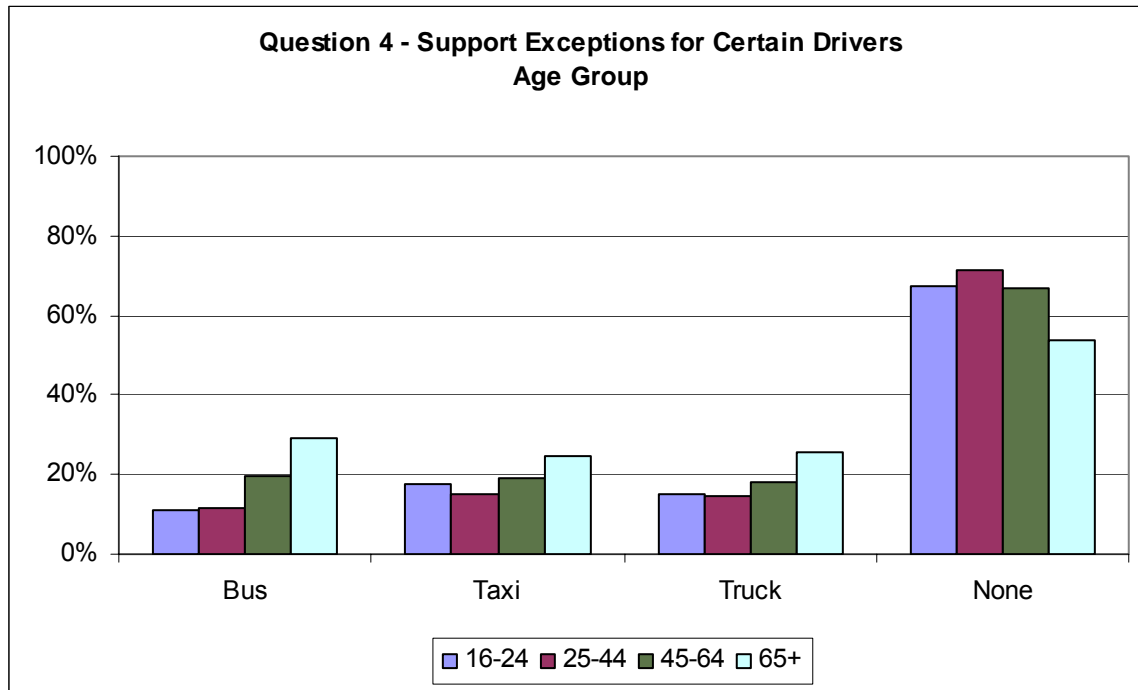


Table 2.9 Other Unacceptable Distractions by Age Group

Data	16-24	25-44	45-64	65+	(blank)	Total
Makeup	11	65	144	44	7	271
Grooming*	12	90	228	67	9	406
Eating/Drinking	8	61	183	55	11	318
Pets/Animals**	4	35	101	24	2	166
Radio/Music***	4	27	85	30	2	148
Children****	4	29	78	26	1	138
Reading/Writing	4	31	80	18	5	138
GPS	4	17	56	8	1	86

* Includes applying makeup, grooming, shaving, combing/brushing hair, brushing teeth.

** Unrestrained pets and pets sitting on driver's lap.

*** Adjusting radio, stereo, changing CDs, DVDs, loud music.

**** Unrestrained children and drivers attending to children while driving.

3. Conclusions

Overall, Yukoners are quite concerned about distracted driving. This survey resulted in a very strong overall participation rate, with over 1,600 responses provided. However, many youth may not have participated in the survey because the intended method of outreach to educational facilities was not possible due to the delays in receiving approval for public consultation, which pushed the consultation period into the summer months.

An overwhelming majority of respondents to this survey feel that using an electronic device while driving a motor vehicle is unacceptable. There is near-unanimous support for establishing the ability of police to charge a driver with an offence if he or she is using such a device while operating a vehicle. There is also near-unanimous support for empowering police to inspect electronic devices found inside a vehicle after a motor vehicle crash to see if it was being used by the driver prior to the crash. An overwhelming majority of respondents also do not support providing exceptions to any prohibitions on the use of electronic devices while driving for bus, taxi and truck drivers.

Many respondents identified a number of other distractions while driving that they feel are unacceptable, including: personal grooming, eating, drinking, unrestrained pets, loud music, attending to children, reading, writing, and operating global positioning system (GPS) devices. It is interesting to note that most of these are not related to electronic devices.

Responses by demographic characteristic also indicate very little difference in overall opinion across different groups of citizens. There is almost no difference between Whitehorse and rural Yukon respondents, as well as between male and female respondents. While there are some slightly larger differences in opinion across age groups, there is general agreement for each group with the overall survey results (no single group contradicts the overall survey).

