

Ontario to Increase Distracted Driving Penalties Starting January 1, 2019

In an ongoing effort to create safe roadways, Ontario is increasing its penalties for distracted driving infractions beginning Jan. 1, 2019.

Distracted driving is a continued safety concern across Canada. However, the widespread increase in cellphone use over the past decade has brought the issue to the forefront. In fact, in Ontario alone, deaths from collisions caused by distracted driving have more than doubled since 2000.

This News Brief highlights specifics of the new rules as well as definitions and penalties all Ontario drivers should be aware of.

What is Considered Distracted Driving?

Per the Ontario government, distracted driving is any activity that takes your attention off the road and puts you and the public in danger. Specific examples include, but are not limited to, the following:

Using your phone to talk, text or pick music to listen to while driving

Eating or drinking while driving

Reading or typing a destination into a GPS while driving

What's Changing?

Existing fines and penalties for distracted driving will increase beginning Jan. 1, 2019. The following is a breakdown of the new penalties by driver type.

1. Drivers With A to G Licences:

- a. **First offence**—Fines up to \$1,000, three demerit points and a three-day driver's licence suspension
- b. **Second offences that occur within five years of a previous infraction**—Fines up to \$2,000, six demerit points and a seven-day driver's licence suspension
- c. **Third offences (and any future offences) that occur within five years of previous infractions**—Fines up to \$3,000, six demerit points and a 30-day driver's licence suspension

2. Novice Drivers With G1, G2, M1 or M2 Licences:

- a. **First offence**—The same fines as A to G licence holders and a 30-day licence suspension
- b. **Second offence**—The same fines as A to G licence holders and a 90-day licence suspension
- c. **Third offence**—The same fines as A to G licence holders as well as the cancellation of your licence and removal from the graduated licensing system

Can I Use Hands-free Devices?

Under Ontario's rules, drivers are still allowed to use any device that they do not touch, hold or manipulate while driving. Any device that requires dialing, scrolling or similar attentiveness is strictly prohibited. For a list of approved devices, click [here](#).

It should be noted that—with the exception of calling the police, fire department or other emergency number—drivers are not allowed to use phones, tablets or other hand-held devices unless they are lawfully parked off the roadway and not impeding traffic.

Drivers should also be aware that collisions could occur even if a vehicle is not in motion. As such, the Ontario Provincial Police advises drivers to be cautious when pulling off the road and never stop on the shoulder of a highway in non-emergency situations.

Are There Any Exceptions to Ontario's Distracted Driving Laws?

In most scenarios, Ontario drivers may not use hand-held communication and entertainment devices or view display screens unrelated to driving. However, there are two main exceptions, and drivers may use cellphones and similar devices when:

1. They need to call 911 in an emergency situation
2. When they are lawfully parked or have safely pulled off the roadway and are not impeding traffic

In terms of business-related activities, commercial and public transit drivers are allowed to view display screens of mobile data terminals, logistical tracking devices and similar work-related tools. Specifically, commercial, public transit and licensed amateur radio operators may use two-way radios until Jan. 1, 2021.

The following are other key devices not included in the ban:

Collision avoidance systems

Any instrument, gauge or system that provides information on the conditions, use and immediate environment of the vehicle

Devices that provide road or weather information

Ignition interlock systems

Devices like hand-mikes and portable radios that do not have a microphone connected to a separate receiver (as long as they are used in a hands-free manner)

Car audio screens that display still images

How Do I Avoid Penalties and Driving Distracted?

The easiest way to avoid penalties for distracted driving is to not use a hand-held device when you're behind the wheel. In addition, consider the following tips:

Turn off your phone or switch it to silent mode before you get in your car.

Lock your phone away in the glove compartment or another out-of-sight location.

Record an outgoing message that tells callers you're driving. Do this before you hit the road.

Consider downloading third-party apps that block incoming calls and texts while you drive.

Ask a passenger to take a call or respond to a text for you.

Pull over to a safe area if you must respond to a text or make a phone call.

To read more about the rules, click [here](#). For more information on distracted driving or other road safety tips, contact Jones DesLauriers Insurance Management Inc. today.