

FLEETSAFER – Safe, Legal, Undistracted Driving

Provincial Legislation and Penalties

Drivers who use a cell phone, whether hand-held or hands-free

- are much less aware of what's happening on the road around them
- fail to see road signs
- fail to maintain proper lane position and steady speed
- are more likely to 'tailgate' the vehicle in front
- react more slowly and take longer to brake
- are more likely to enter unsafe gaps in traffic
- feel more stressed and frustrated

CORPORATE LIABILITY

If crash occurs, risk and liability rolls up to the enterprise

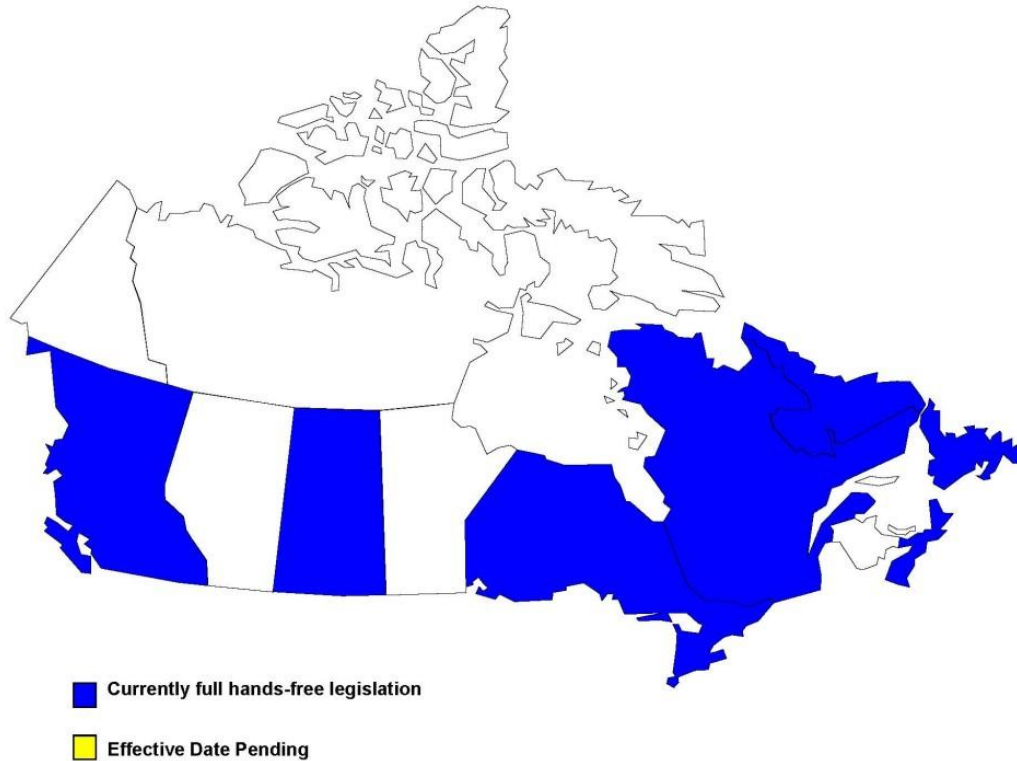
- Company vehicle or personal vehicle
- Employee or company liable phones
- Business and non-business hours
- Distraction, call, browsing, email or text, was or was not specifically business related
- Not even “distracted” at the time of the accident

* REGARDLESS OF TIME OF DAY OR PERSONAL OR BUSINESS CALL THE CORPORATION OR GOVERNMENT OFFICE CAN BE LIABLE

Why?

- Court cases have consistently had broad “scope of work” definition
- Plaintiff’s attorney’s can readily/easily connect cell phone use to employers
- Established pattern of behavior (based on cell phone records)

Canada Cell Phone Legislation by Province



British Columbia	Changes made to the Motor Vehicle Act effective Jan 1, 2010 prohibit drivers from sending or reading emails and/or texting. Hands-free device allowed	\$167 fine and three penalty points	Drivers with a learner or novice license are not permitted to use hands-free phones
Alberta	No laws currently prohibit texting		A distracted driving bill will be debated in the fall of 2010
Saskatchewan	Saskatchewan banned the use of hand-held cell phones to talk, text, email or surf the Internet while driving, on Jan. 1, 2010	\$280 fine, which includes a victims' surcharge of \$60, and four demerit points	Drivers with a learner or novice license are not permitted to use hands-free phones
Manitoba	On July 15, 2010, it became illegal to exchange text messages while driving		The Highway Traffic Amendment Act made texting while driving and smoking in a car with kids illegal in 2009,
Ontario	Effective October 26, 2009, the distracted driving law, law makes it illegal for drivers to talk, text, type, dial or email using hand-held cell phones and other hand-held communications and entertainment	Drivers caught using a hand-held device will be issued a \$155 ticket. Drivers who challenge the ticket in court face fines of up to \$500	
Quebec	Since April 1, 2008, the province bans the use of any type of hand-held device with a telephone function has been prohibited	A \$115 to \$154 fine and 3 demerit points	
New Brunswick	No laws currently prohibit texting while driving in New Brunswick		Since April 1, 2010, the city of Moncton bans all employees from using cell phones while driving
Nova Scotia	On April 1, 2008, the province banned all hand-held cell phone use and texting	A \$50 to \$200 fine.	
P.-E.-I.	As of January 23, 2010, it is illegal to exchange text messages while driving	Fines from \$250 to \$400 and 3 demerit points	Drivers under the Graduated Driver Licensing Program are prohibited from all cell phone activity - with or without hands-free accessories
Newfoundland and Labrador	Since 2003, it is illegal to use a hand-held cellular phone while driving	Fines from \$45 to \$180, and four demerit points	
Northwest Territory Nunavut, Yukon	No laws currently prohibit texting		

THE SAFE DRIVING LAWS IN CANADA

- As of February 2010, the following Canadian jurisdictions have banned hand-held cell phone use while driving: British Columbia, Saskatchewan, Ontario, Quebec, Prince Edward Island, Nova Scotia, and Newfoundland and Labrador. Of note, these bans are only for hand-held cell phone usage and not hands-free usage (Alberta and New Brunswick 2011)
- Drivers who cause a collision while using a cell phone or who are observed driving unsafely while using the device can be charged under a number of other provincial, territorial, or federal laws including, but not limited to: dangerous driving, careless driving and criminal negligence causing death or injury.

BANNED CELLPHONES AND OTHER DEVICES



The LAW: Bill 118, the *Highway Traffic Act* (the "HTA")

- A driver must not hold, operate, communicate or watch the screen of a hand-held electronic communication device, one of the purposes of which is to process or compute data
- A driver must not send or receive text messages or electronic email on any type of electronic device.

ALLOWED CELLPHONES AND OTHER DEVICES



A person may use an electronic device in a hands-free telephone function while driving and a person may listen to sound from a hand-held audio player, if:

- The electronic device, as well as any part or extension of it, is not held or operated by the hand; and
- It is voice-activated or requires only one touch in order to initiate, accept or end a call; and
- If the device includes an earpiece, that earpiece can be worn in one ear only and must be placed on the ear prior to driving; and
- The electronic device is securely fixed to the vehicle or worn securely on the person's body, and is within easy reach of the driver's seat; and
- The device must be installed in a manner that does not obstruct the driver's view of the front or sides of the motor vehicle or interfere

HAND MICROPHONES



A “hand microphone” is a communication device used principally for commercial purposes (e.g., delivery business). The devices consists of a hand-held unit that:

- Is operated by a push and hold to talk function; and
- Allows for oral communication, but not for the transmission and receipt of oral communication at the same time.
- A person may use a hand microphone while driving if:
 - The device is within easy reach of the driver’s seat; and
 - **The device is not held in the hand**; and
 - Is securely fixed to the motor vehicle or worn securely on the person’s body in a manner that does not obstruct the person’s view of the front or sides of the motor vehicle or interfere with the safety or operating equipment of the motor

FLEETSAFER – MOBILESAFER, TEENSAFER for Safe, Legal, Undistracted, Compliant Driving



FLEETSAFER

FleetSafer

For fleets (includes Administration Portal with reporting) – with full multi-trigger capability. Designed specifically for corporate customers, FleetSafer enables employers to proactively enforce cell phone usage policies to eliminate texting, emailing and dialling while reducing crashes, risk and liability.

- Full Reporting 24/7
- User Management
- Policy Management
- Policy configuration options
- BES and Administrator Portal Distribution
- Not a GPS Tracking Product
- A Single Annual Payment

MOBILESAFER & TEENSAFER PRODUCT

MobileSafer

for mobile business professionals (Doctors, Lawyers etc.)

- Web download and it works
- Bluetooth trigger only
- Can make/receive hands-free calls
- Manages auto-replies directly on the device

(ITI offers a special Bluetooth Token Charger Adaptor)

- Single payment per year or monthly
- Bluetooth calls and 911
- No reporting
- No user management
- Limited policy configuration options
- Not a GPS Tracking Product

TEENSAFER

TeenSafer

- For teens - parent creates account
- Parent is notified of user activity–install, start/stop driving, etc.)
- Cannot be changed nor deleted
- Prevents texting, browsing and email while engine on
 - Single payment per year or monthly
 - No reporting
 - Bluetooth calls and 911
 - Alerts and notification
 - No user management
 - Limited policy configuration options
 - Not a GPS Tracking Product

BLUETOOTH TOKEN CHARGER

- ZoomSafer has sourced a charger with a “Bluetooth” token
 - For users who don’t have an in-car Bluetooth system
 - \$34.95 plus S&H (\$7.95)
 - Provides a Bluetooth token (not a hands-free system) to automatically launch ZoomSafer once the car is turned on
 - Can be used by itself or in conjunction with other hands-free Bluetooth solutions
 - Especially useful for those who wear their Bluetooth headset as part of their day to day activity and only want the ZoomSafer system activated when they get into their car
 - Bluetooth calls and 911



WHY ZOOMSAFER PRODUCTS For SAFE, LEGAL DRIVING



Reduce accidents, minimize liability and risk, save money from potential Scope of Employment litigation by distracted drivers



Create, deploy and enforce safe driving corporate policies



Flexible policy management-based software to meet enterprise safe driving requirements for Restrictive Policies



Patented service-based triggers initialize safe driving policies on mobile phones.



Open architecture can trigger off GPS, telematics, Bluetooth, or other services.



Measurable results. Analytics and reports help enforce policy / modify behavior. Reports available 24/7

THANK YOU - QUESTIONS

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