

Distracted Driving

What is Distracted Driving?

Distracted driving is any activity that diverts attention from driving; including talking or texting on your phone, eating and drinking, fiddling with the stereo, entertainment or navigation system.

Texting is the most alarming distraction. Sending or reading a text can take your eyes off the road for five seconds. At 110 km/hr., that is like driving the length of an entire football field with your eyes closed.



Source ctvnews.ca

Employers Liable

The National Safety Council states **employers are being held liable for collisions involving handheld devices.**

You are four times as likely to crash when using a cell phone while driving. Employers are being held liable up to \$25 million for employee crashes, even when employees use hands-free devices. To read an AMTA white paper including real cases and why employers should care, click [here](#).

According to the Canadian Criminal Code, anyone who has the authority to direct how another person works, has a legal duty to prevent bodily harm to that person arising from that work. Therefore, employers may face liability if an employee is injured or injures another while driving and using a hand-held device, if it can be proven that the employer did not take reasonable precautions to prevent such accidents.

Bazley v. Curry – A Canadian Precedent

In the leading case on employer liability for employee conduct (Bazley v. Curry), it was determined employers are “vicariously liable for (a) acts of employees that are authorized by the employer and (b) unauthorized acts that are related to conduct authorized by the employer.”