Minute No. 443
Report - Standing Policy Committee on Protection and Community Services - May 28, 2012

Item No. 1 Funding Agreement with Manitoba Public Insurance Corporation for Distracted Driving Enforcement by Winnipeg Police Service

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and adopted the following:

1. That a negotiated legal agreement between the City of Winnipeg and Manitoba Public Insurance (MPI) be approved to allow the Winnipeg Police Service to conduct additional Highway Traffic Act enforcement related to MPI's "No Phone Zone" campaign (Distracted Driving).

2. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Protection and Community Services - May 28, 2012

DECISION MAKING HISTORY:

Moved by Councillor Havixbeck,

That the recommendation of the Standing Policy Committee on Protection and Community Services be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 6, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 28, 2012, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **Funding Agreement with Manitoba Public Insurance Corporation for Distracted Driving Enforcement by Winnipeg Police Service**

Critical Path: **Standing Policy Committee on Protection and Community Services – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
S/Sgt. C.M. Hodgson	Acting Chief A. Stannard	M. Ruta	Deepak Joshi, COO

RECOMMENDATIONS

That a negotiated legal agreement between the City of Winnipeg and Manitoba Public Insurance (MPI) be approved to allow the Winnipeg Police Service to conduct additional Highway Traffic Act enforcement related to MPI's "No Phone Zone" campaign (Distracted Driving).

REASON FOR THE REPORT

To obtain City Council approval for the Winnipeg Police Service to enter into an agreement with MPI to fund additional officers to conduct Highway Traffic Act enforcement, mainly focusing on issues related to distracted driving.

IMPLICATIONS OF THE RECOMMENDATIONS

This agreement allows for MPI to fund extra Highway Traffic Enforcement by the Winnipeg Police Service related to No Phone Zone Project (Distracted Driving) from February 6th 2012 to March 3rd 2012 with MPI paying up to $78,400.00 in salary and overtime for additional officers to conduct the enforcement.

The additional resources paid for by MPI will result in further enforcement in other areas, as well as additional fine revenue to the City of Winnipeg.

HISTORY

Since July 15th 2010 the Winnipeg Police Service enforced the new Highway Traffic Act (HTA) Cell Phone legislation. This distracted driving legislation regulates the safety issues related to the use of "hand held electronic devices" (HHED) by individuals operating motor vehicles in the Province of Manitoba. However, the illegal use of HHED while operating a motor vehicle in Winnipeg continues to be a serious problem. Between July 15th 2010 and January 31st 2012 the Winnipeg Police Service issued over 5000 Provincial Offence Notices for offences related to the illegal use of HHED in motor vehicles within the City of Winnipeg.

HHED use has been extensively studied in the United States and Canada with results showing that the cell phone use while driving increases the likelihood of being in a collision by a factor of 23 (Virginia Tech study). The Manitoba Public Insurance Corporation's 2010 statistics show that distracted and careless driving was a major contributing factor in 38% of fatal crashes, which is similar to impaired driving which is a major contributing factor in 25% of fatal crashes since 2005.

The illegal use of HHED in motor vehicles has moved up to be included with the big three (impaired driving, speeding, and occupant restraints) contributing factors in fatal and serious injury collisions. A recent survey in Manitoba conducted by MPI found that 29% of drivers surveyed admit to using cell phones while driving, and 64% of Manitobans believe it is unlikely they will be stopped by police while using a cell phone.

History has shown that societal change requires education and effective deterrents. One example of this approach is the increased use of occupant restraints to over 93% in Manitoba in the last two decades. When the original mandatory occupant restraint legislation was introduced in 1984, the use of occupant restraints was low. But constant awareness campaigns and continued enforcement has resulted in societal change and improved rates of the use of occupant restraints. In conjunction with the organized enforcement activity of the WPS, MPI has agreed to conduct an educational campaign on the "No Phone Zone Project" throughout the month of February 2012. The project will occur at no cost to the City as MPI will pay up to $78,400.00 for increased enforcement effort (officers working overtime) during February. This will be a good first step in the process of societal change.

FINANCIAL IMPACT

Project Name: No Phone Zone Contract **First Year of Program 2012**

	2012	2013	2014	2015	2016
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 90,460	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	151,832	-	-	-	-
Net Cost/(Benefit)	$ (61,372)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ (61,372)	$ -	$ -	$ -	$ -

Additional Comments: Expenses are overtime/pension up to $78400 plus court costs of $12060. We recover the overtime/pension from MPI and the additional court costs are offset by the extra fine revenue.

original signed by Ron Smolik Feb 16/12
Controller - Winnipeg Police Service

CONSULTATION

In preparing this report there was consultation with:

Legal Services Department (as to legal issues) (KB)

SUBMITTED BY

Department:	Winnipeg Police Service
Division:	Division 51 Central Traffic Unit
Prepared by:	Staff Sergeant C.M. Hodgson
Date:	April 2, 2012
File No.	ODS 12 – 016