



**MEMORANDUM TO:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division  
Ministry of the Solicitor General

**FROM:** Nosa Ero-Brown  
A/Assistant Deputy Minister  
Road User Safety Division  
Ministry of Transportation

**SUBJECT:** **Distracted Driving Exemptions - Amendments to Highway Traffic Act - Ontario Regulation 366/09 (Display Screens and Hand-Held Devices)**

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This memorandum is to advise the policing community about two recent amendments to Regulation 366/09 (Display Screens and hand-held Devices), made under the *Highway Traffic Act* (HTA), ), effective February 14, 2020.

**1. Commercial Drivers - Hand-held two-way radios exemption:**

The current exemption from the prohibition on the use of a hand-held two-way radio by commercial, public transit and public function drivers, and licensed amateur radio operators was set to expire on January 1, 2021. That expiry date has been removed from the regulation, in sections 11 to 13. The result is that this exemption is now permanent.

Note that this exemption only applies with respect to hand-held two-way radios and no other hand-held electronic communication devices.

**2. Canadian Security Intelligence Service (CSIS) Officers - Hand-held communications device and display screen exemptions:**

Sections 2 and 9 of the regulation have been amended to exempt CSIS officers from the prohibitions on the use of a hand-held wireless communications device and a display screen.

If members of the law enforcement community would like to discuss these exemptions in more detail, they may contact Jerome Brideau at (416) 843-3093.

Thank you for your assistance in communicating these changes.



Nosa Ero-Brown  
A/Assistant Deputy Minister  
Road User Safety Division