**Regarding the Ontario Highway Traffic Act Exemption for Handheld Devices**

**History:**

Slightly less than three years ago, the Government of Ontario passed into law the revision that brought the restriction of handheld devices under the Highway Traffic Act (HTA). Under this revision, if you are caught using a handheld device such as a cell phone while driving you can be fined and demerit points will be placed on your license which in turn can raise your insurance rates dramatically.

Through a great deal of hard work and effort on the part of Amateur Radio groups and individual operators lobbying the government, an exemption was placed in the revision which permitted licensed Amateur Radio Operators to continue to operate their mobile communication equipment while driving. The exemption was based on the fact that "hands free" electronics was not available for mobile amateur radio equipment and the exemption was for a period of THREE years from the date of the revision becoming law. That exemption expires on January 1,2018 (this coming January). This will then put all Amateur Radio Operators in the same category as cell phone users when it comes to using a handheld device and distracted driving.

**What can be done:**

It is imperative that all licensed Amateur Radio Operators in Ontario move immediately to lobby the Ontario Government to have one of the following options enacted:

* Have the exemption for Amateur Radio Operators made permanent under the HTA (preferred option)
* Have the exemption extended for a period of time that will permit manufacturers to develop technology enabling Amateur Radio Operators to retrofit their mobile communications equipment, without extreme modification, so that it may be operated in a manner that would satisfy the requirements of the related sections of the HTA without diminishing the operability and function of mobile amateur radio equipment. (minimum 5 years)

**How can I do this?**

All licensed Amateur Radio Operators need to contact their local Member of Provincial Parliament (MPP) and impress upon him or her the need to have one or the other of the above options enacted.

All MPPs have a contact email address which can be found online or they have a telephone number listed in your local phone book. You can call the member's office and obtain their email address or postal address. After obtaining this information, compose an email or letter outlining the need to have licensed Amateur Radio Operators exempted from the distracted driving law and include the above noted options. You can add that licensed Amateur Radio Operators have historically (since shortly after WW1) enjoyed the ability to operate their equipment in a mobile manner and that the lack of widely available "hands free" electronic options for mobile amateur radio equipment, without significant modification to the mobile equipment, is as yet unavailable to the average majority of operators and to not exempt licensed Amateur Radio Operators from the applicable sections of the HTA would create a restriction or a cessation of their ability to continue to enjoy this portion of their service and hobby. You can also remind your MPP that licensed Amateur Radio Operators have historically and continue to provide a vital communications function in times of emergency and disaster throughout the world. Many Amateur Radio Groups continue to liaise with regular emergency services to provide communication networks for local and international communication needs during times when standard communication means is disrupted by power outages, floods (such as Texas recently) and tornadoes. The ability to function in a mobile communications manner is vital to the continuance of this service.

**When should I do it:**

You need to do it NOW!!! With only a few months remaining until the exemption expires and with the Provincial Parliament coming into the new fall sitting, it is vitally important to contact your MPP now and have them address this issue with the Minister of Transportation who is responsible for bring forth changes to the HTA. A copy of your email or letter or fax can also be sent to the Minister of Transportation for Ontario. The addresses are listed below.

**A FINAL NOTE:**

I have often operated as a controller on the ONTARS net and each time I do I mention this important matter regarding the continuance of mobile amateur radio operation. I am sure some listeners have said to themselves "there goes Dave again up on his soap box" but I answer that with "If I don't speak about it and gain the interest and support of other Amateur Radio Operators, I will lose the enjoyment of my mobile operating ability forever". I remind you all that it is easier to continue the exemption either permanently or temporarily than it is to recreate the exemption after it expires.

I implore all licensed Amateur Radio Operators to contact your MPP now regarding this exemption.

David C. Margetts Licensed Amateur Radio Operator

Call Sign VE3EBM

**Ministry of Transportation
Queen's Park/Minister's Office**
77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto, ON M7A 1Z8
416-327-9200

 **Attention:**

**The Honourable Steven Del Duca,**

**Minister of Transportation**