

Distracted Driving and Billboards

Placing billboards on the public ROW is an area that has been given considerable attention to. The Canadian Council of Motor Transport Administrator (CCMTA)'s Distracted Driving Subcommittee defines distracted driving as the following:

“Distracted driving is the diversion of attention from driving, as a result of the driver focusing on a non-driving object, activity, event or person. This diversion reduces awareness, decision-making or performance leading to increased risk of driver error, near-crashes or crashed. The diversion of attention is not attributable to a medical condition, alcohol/drug use and/or fatigue.”

CCMTA further notes that there are various possible driver distractions, including, but not limited to, visual distractions outside your vehicle such as collisions, police activity, or looking at street signs or billboards.

The Province of Quebec published a study titled ‘Impact de l’excès de signalisation chez les automobilistes âgés’ (translation: The impact of excessive signage on different age of drivers) aimed to determine the impact of age on the ability to process the information displayed on a road sign depending on various criteria: the presentation of various scenes, the number of signs present, and the degree of the mental workload. The results of the study indicated:

- “aging has a significant impact on processing the information displayed on road signs. Older drivers perform less well than younger drivers;
- the greater the number of road signs, the more the driving performance of older drivers decreases;
- crowding of the visual field is one of the main factors that interferes with information processing of older drivers;
- the efficiency of older drivers’ ability to process the information displayed on roadside signs depends on the number of signs and the time available to process the information.”

According to the U.S. National Highway Traffic Safety Administration (NHTSA) in 2015 10% of fatalities involved driver distraction.

Saskatchewan Government Insurance (SGI)'s indicates in their ‘Driver’s Handbook’ that:

“Driver Inattention and distraction is responsible for 18% of all collisions. On average, it leads to 52 collision fatalities a year in Saskatchewan.”

“Some of the most common driver distractions include persons, objects or events outside the vehicle, distraction from passengers, looking for or at something in the vehicle, adjusting radio, climate or vehicle controls, smoking and eating or drinking.”

Transportation Association of Canada (TAC) is a national association with a mission to promote the provision of safe, secure, efficient, effective, and environmentally and financially sustainable transportation services in support of **Canada's** social and economic goals. The City of Saskatoon is a member of TAC under the Municipal Government classification.

TAC publishes many technical design guidelines and standards, including the Manual of Uniform Traffic Control Devices for Canada (MUTCD), January 2014. Under the section titled 'Legal Authority' the following is provided:

“Traffic signs are installed only under the authority of the road agency having jurisdiction. Signs should be installed and maintained in accordance with the guidelines and standards set out in this Manual. Signs placed by private organizations without authority are often poorly placed and maintained, and are not legal. All non-essential signs should be removed since they divert attention from official signs. Traffic signs and supports must not bear any unauthorized commercial advertising or labels, logos, etc.”

The MUTCD for Canada clearly outlines four types of signs that are permitted within the public ROW:

- Regulatory Signs, such as pedestrian crosswalk or speed limit signs;
- Warning Signs, such as curve ahead signs;
- Guide and Information Signs, such as distance to the next street signs; and
- Temporary Conditions Signs, such as work zone signs.

There is no mention of commercial signs as jurisdictions simply do not permit these. A few most likely do exist throughout Canada, but within larger Cities there are many local policies to administer or restrict commercial billboards on private land immediately adjacent to, or within sight of, roadways. There is no consideration for commercial billboards on the public ROW. It is simply a practice not followed for obvious public safety reasons of increased distracted driving. By their inherent nature, commercial billboards are intended to distract, and knowingly permitting these types of signs will lower the level of public safety, but may potentially open the City of Saskatoon to be liable for collisions and injuries.