



Administrative Sanctions for Alcohol and Drug Use by Drivers

This policy brief is one of a series on current topics related to impaired driving in Canada, intended for a broad audience interested in impaired-driving issues. Other topics in this series include oral-fluid drug screening, mandatory alcohol screening, the drug evaluation and classification program, and drug per se laws. These briefs are not intended to provide a comprehensive and critical review of the literature. Rather, their purpose is to provide a balanced overview of the issue, including descriptions of any procedures or processes involved, an indication of similar measures in other countries, evidence of the effectiveness of such measures, and potential limitations and alternatives.

Key Considerations

- Administrative sanctions are intended to reduce the overall risk to all road users by immediately removing from the road drivers whose ability to drive is adversely affected by alcohol or other drugs, but not necessarily to the same degree as those with higher blood alcohol concentrations.
- Most jurisdictions in Canada have implemented administrative sanctions, such as immediate short-term licence suspension and vehicle impoundment, for drivers with a blood alcohol concentration (BAC) between 50 and 80 mg/dl.
- These sanctions are typically applied immediately at roadside, creating a swift, certain and impactful penalty on affected drivers and serving as a general deterrent for others.
- In recent years, jurisdictions have expanded administrative sanctions to include drivers who have used drugs or a combination of alcohol and drugs.
- Some jurisdictions have enhanced their administrative sanctions programs to include immediate penalties for drivers who have a BAC \geq 80 mg/dl, who are impaired by drugs or who are impaired by a combination of alcohol and drugs.
- Zero tolerance for alcohol and drug use by novice drivers, including immediate administrative sanctions, has become widespread across Canada.



The Issue

In Canada, it is a criminal offence for a person to operate a vehicle while they have a BAC of 80 mg of alcohol per 100 ml of blood (often abbreviated 80 mg/dl or 0.08%) or greater, while impaired, or with a blood drug concentration more than specified limits. It is also a criminal offence to refuse to provide a bodily fluid sample (i.e., blood, breath or oral fluid) for analysis when requested by a police officer.

Pursuing a criminal impaired-driving charge is a technically challenging and resource-intensive process. A national survey of frontline police officers reported requiring an average of almost three hours to complete the paperwork required to process an impaired-driving charge (Jonah et al., 1999). This is followed by an average of four hours for the court trial, which may not occur until several months after the incident. The technical nature of the evidence and the severity of the sanctions are factors that may influence the suspect's decision to challenge the charges, which can prolong the proceedings and render a conviction uncertain.

The length of the process and the uncertainty of conviction and punishment diminish the deterrent value of the impaired-driving law. Immediate administrative sanctions serve as an efficient and effective means to remove drivers who have consumed alcohol from the road while providing a strong deterrent to others.

Background

During the 1980s, in response to the magnitude of the impaired-driving problem and the challenges of enforcement, provinces and territories began introducing legislation in their respective highway traffic acts (or their equivalent) giving police who have stopped a vehicle the authority to immediately (i.e., at the side of the road) suspend, for a period of four to 24 hours, the licence of any driver who is affected by alcohol or registers a “warn” on an approved screening device — i.e., a BAC over 50 mg/dl.

Immediate short-term suspensions were viewed as an efficient and effective means of getting drivers who have consumed alcohol off the road in an efficient and timely manner. For many, a short-term administrative suspension is their first encounter with law enforcement regarding drinking and driving and can serve as a warning that drivers who have consumed alcohol, even those who may not display profound impairment, will be caught and punished. Moreover, the speed and certainty of the sanctions are key components of an effective general deterrence strategy that was expected to reduce the probability of drivers getting behind the wheel after consuming alcohol.

This type of legislation spread across the country, and now only Quebec and Yukon do not have immediate roadside suspensions for drivers with a BAC of at least 50 mg/dl. Saskatchewan is unique in that its threshold for administrative suspensions is set at 40 mg/dl.



In 2005, the Canadian Council of Motor Transport Administrators (CCMTA) developed a model to help jurisdictions develop administrative sanctions for dealing with low-BAC drivers — i.e., those with BACs between 50 and 80 mg/dl (CCMTA, 2005). The key features of the proposed model included:

- An immediate roadside suspension of seven to 14 days for drivers registering a BAC of at least 50 mg/dl on an approved screening device,
- The driver must surrender their driver's licence,
- A second infraction within three years would result in a suspension of 30 days with the length of the suspension increasing with each subsequent infraction,
- A second suspension within three years would also trigger a requirement for an impaired driver's assessment from a recognized agency,
- A third suspension within three years would require the driver to participate in an ignition interlock program,
- All suspensions would be recorded on the driver's record for a period of 10 years,
- Drivers would pay a licence reinstatement fee of \$150 to \$300, and
- Drivers would be able to challenge the BAC result by requesting a breath test on an approved evidentiary breath-test instrument.

Current Status

Since the CCMTA model was released in 2005, several jurisdictions have revised their administrative suspension programs by implementing various elements of it. For example, most provinces have increased their suspension duration from 24 hours to three or seven days. Several jurisdictions (e.g., British Columbia, Alberta, Saskatchewan, and Newfoundland and Labrador) have gone one step further and added a period of vehicle impoundment to the suspension. Some (e.g., Manitoba, Ontario) include a monetary penalty. Manitoba and Saskatchewan include a provision for enhanced sanctions if there is a passenger in the vehicle who is under 16 years of age. In many cases, repeat violations can result in longer suspensions and can include a requirement to undergo an alcohol assessment, attend a remedial program, or both, and possibly install an alcohol ignition interlock.

In recent years, the legalization of cannabis for recreational purposes, combined with growing concern about drugs and driving in general, prompted jurisdictions to expand their program of short-term administrative suspensions to include drivers who are adversely affected by drugs. The criterion for issuing a suspension is either the driver's performance on the standardized field sobriety test,* the opinion of the police officer that the driver is adversely affected by drugs, or a positive result on approved oral-fluid drug-screening

* The standardized field sobriety test consists of three tests administered at roadside — i.e., horizontal gaze nystagmus, walk-and-turn, and one-leg stand — as prescribed in regulations pursuant to section 320.27(1)(a) of the *Criminal Code* of Canada.



equipment. These concerns also contributed to the addition of zero tolerance for drugs in novice drivers (i.e., those in the graduated licensing program, under 22 years of age, or both).

Some jurisdictions (e.g., British Columbia, Alberta) have also introduced immediate administrative sanctions for drivers who provide a breath sample that exceeds the alcohol limit of 80 mg/dl as an alternative to criminal charges. Although some would argue that this process appears to decriminalize impaired driving, the purpose of these administrative sanctions is to reduce the inevitable delay between the behaviour and punishment by immediately removing these drivers from the road and to reduce the time and administrative burden on the police and the courts. Other jurisdictions have implemented “pre-conviction” administrative suspensions that take effect at the time of the offence and can last for up to 90 days or until the charges are resolved by the courts.

The Appendix summarizes current administrative sanctions for each province and territory. It also includes the rules surrounding driving after using alcohol or drugs for novice (and young) drivers and the pre-conviction administrative sanctions imposed for a *Criminal Code* impaired-driving violation. Please note that the information provided in the Appendix is intended as a summary of the provisions for administrative sanctions in each jurisdiction. For further information, readers are advised to consult the respective provincial or territorial highway traffic act (or its equivalent).

What the Evidence Says

Administrative sanctions are based on the fundamental principles of deterrence theory: celerity, certainty, and severity (Ross, 1984). The suspension is generally applied immediately — i.e., at the time of the violation at the side of the road. With a comparatively lesser administrative burden, there is a high certainty that the suspension will be applied. Although short-term suspensions are inconvenient, they would not generally be perceived as a severe sanction. However, recent efforts to increase the length of administrative suspensions to three or more days increases the severity of the sanction, especially when coupled with vehicle impoundment and monetary penalties.

Although short-term administrative suspensions have been around for several decades in Canada, the most common form of administrative licence suspension (ALS) was introduced in the United States in the 1980s for suspected impaired drivers who had a BAC over 80 mg/dl or who refused to provide a breath test. The suspension was issued at the time of the offence and usually became effective within 21 days of the violation. This form of ALS proliferated across the United States, and many jurisdictions in Canada implemented some form of ALS for drivers who registered an alcohol level of 80 mg/dl or over or who refused to provide a breath sample.

ALS was intended to increase the certainty that a violator would serve a period of suspension (typically 90 days) and enhance the speed with which the action was taken. Evidence shows that this form of ALS is an efficient and effective means of improving road



safety by quickly removing high-risk drivers from the road. Evaluation studies in the United States demonstrate that ALS serves as an effective specific and general deterrent, reducing the probability of repeat violations and crashes among those issued administrative suspensions and preventing others from driving after consuming alcohol (Voas et al., 1998).

General and specific deterrent effects of ALS have also been found in Canada. In Manitoba, there was a 27% decrease in driver fatalities with a positive BAC and a 44% reduction in repeat impaired-driving offences among those subjected to ALS in the four years following its introduction (Stewart et al., 1992). In Ontario, ALS was associated with a 14% decrease in single-vehicle nighttime casualty crashes (Voas & Tippetts, 1999; Zador et al., 1989).

Enhanced administrative suspension programs in several jurisdictions (e.g., British Columbia and Alberta) provide even greater deterrence by not only increasing the length of the suspension, but also coupling it with vehicle impoundment. Evaluations of the impact of British Columbia's program revealed a 44% decrease in the proportion of drivers on the road at night with BACs of at least 50 mg/dl (Stewart et al., 1989; Wagenaar & Maldonado-Molina, 2007) and a 40.4% decrease in alcohol-involved fatal crashes (Beirness et al., 1997a). Alberta reported a 46% decrease in alcohol-involved fatalities in the six months following the introduction of the new sanctions (Beirness et al., 1997b).

The impact of short-term administrative suspensions on alcohol-involved driver fatalities was examined in a study in Canada from 1987 through 2010. After accounting for numerous factors known to be associated with traffic fatalities (e.g., per capita beer consumption, unemployment rate, percentage of youth in the population), administrative suspensions were associated with an overall 3.7% decrease in fatally injured drivers with BACs of at least 50 mg/dl. Decreases of 2.9% and 2.6% were also observed in driver fatalities with BACs greater than 80 mg/dl and 150 mg/dl, respectively. No changes were found in the rate of impaired-driving charges (Mann et al., 2000; Mann et al., 2002).

Limitations

Administrative sanctions have been subject to legal challenges. In British Columbia, court rulings have largely upheld the programs, but have prompted the government to enhance the appeal procedures available to drivers and make other minor changes to the program, including a requirement to recalibrate approved screening devices to read “warn” at a BAC of 55 mg/dl, rather than 50 mg/dl, to account for possible measurement error (Beasley & Beirness, 2012). Procedures are now available in most jurisdictions for drivers to file an appeal of administrative sanctions.

In some jurisdictions, drivers with BACs over 80 mg/dl can be issued administrative sanctions at the time of the offence and can also be charged under the *Criminal Code*. If found guilty, it would appear that the offender is being punished twice for the same offence, which may be grounds for a challenge. However, it should also be noted that an administrative sanction does not necessarily preclude other charges being laid.



What Other Countries Are Doing

Although it is difficult to draw comparisons with legal systems in other countries, it appears that the use of short-term administrative sanctions for low-BAC drivers is unique to Canada. Other countries (e.g., the United States) might remove impaired drivers from the road to prevent their continued operation of the vehicle, but immediately suspending, for several days, the licence of a driver with a BAC lower than the criminal limit appears to have no precedent. Enhanced administrative sanctions that include provisions for immediate vehicle impoundment and monetary penalties also appear to be unique.

Conclusion

Provinces and territories have used the powers provided in their highway traffic legislation to deal with drivers who are affected by alcohol or drugs by using immediate administrative sanctions. Amendments in several provinces have taken short-term administrative suspensions to the next level by adding vehicle impoundment and monetary penalties as well as possible attendance at an educational program and participation in an interlock program. These measures serve to enhance both the certainty and speed with which sanctions are applied — two key components of effective general deterrence.

Extending administrative sanctions to drivers adversely affected by drug use is gaining acceptance, and several jurisdictions have introduced suspensions equivalent to those for alcohol for drivers who are affected by drugs (refer to Appendix). The criterion for these sanctions is often poor performance on the standardized field sobriety test or a positive oral-fluid drug screen.

Zero tolerance for alcohol and drug use by young and novice drivers has been enacted in every jurisdiction in Canada. Immediate sanctions for alcohol and drug use by this most vulnerable population of drivers serve to reinforce the seriousness of this behaviour and encourage young and new drivers to begin their driving careers without the added risks associated with alcohol and drug use.

Removing impaired drivers from the roadway efficiently and immediately can help reduce the overall risk to all road users and create greater deterrence among all users. However, deterrence and sanctions are unlikely to have a profound impact on those affected by a substance use disorder. Some jurisdictions have included mandatory attendance at an alcohol education or assessment program for repeat offences. Also providing these programs to first-time offenders might encourage those with an ongoing or developing substance use health challenges to seek professional assistance before the problem escalates.

In addition, because administrative sanctions can sometimes be controversial, it is imperative to document the impact of these measures on road safety. Ongoing evaluation studies must be conducted to determine the nature and extent of changes to impaired-driving behaviour, charges, and crashes.



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Appendix: Provincial and Territorial Administrative Sanctions for Alcohol and Drug Use by Drivers

British Columbia

Affected by alcohol or drugs

- Immediate 24-hour driving prohibition
- Possible 24-hour vehicle impoundment
- Possible additional sanctions under the Driver Improvement Program
- Third 24-hour prohibition can trigger referral to the Responsible Driver Program and/or the Ignition Interlock Program

BAC 50–79 mg/dl (warn range)

First offence

- Immediate three-day driving prohibition
- Three-day vehicle impoundment
- \$200 administrative penalty

Second offence

- Immediate seven-day driving prohibition
- Seven-day vehicle impoundment
- \$300 administrative penalty

Third offence

- Immediate 30-day driving prohibition
- 30-day vehicle impoundment
- \$400 administrative penalty
- Possible referral to the Responsible Driver Program or the Ignition Interlock Program

BAC \geq 80 mg/dl (fail range), over prescribed drug limits, refuse alcohol or drug testing, or deemed impaired by a drug recognition expert (DRE) evaluation

- Immediate 90-day driving prohibition
- 30-day vehicle impoundment
- \$500 administrative penalty
- Possible referral to the Responsible Driver Program or the Ignition Interlock Program
- May be charged under the *Criminal Code*

Drivers in graduated licensing program

- Zero tolerance for alcohol, cannabis or cocaine
- Immediate 12-hour licence suspension



- Must restart 24-month (N) licensing period
- Learner (L) drivers must reattempt all testing

Alberta

Immediate Roadside Sanctions (IRS) : Alcohol and/or drug use affecting driver's ability

- Immediate 24-hour licence suspension
- Possible 24-hour vehicle seizure

IRS: warn (BAC 50–79 mg/dl)

First offence

- Immediate three-day licence suspension
- Three-day vehicle seizure
- \$300 fine

Second offence

- Immediate 15-day licence suspension
- Seven-day vehicle seizure
- \$600 fine
- Remedial education program

Third and subsequent offences

- Immediate 30-day licence suspension
- 7-day vehicle seizure
- \$1,200 fine
- Remedial education program

IRS fail (BAC \geq 80 mg/dl; impaired by alcohol, drug, or both; refuse drug or alcohol testing)

First offence

- Immediate 90-day licence suspension plus subsequent one-year suspension
- 30-day vehicle seizure
- \$1,000 fine
- Remedial education program

Second offence

- Immediate 90-day licence suspension plus subsequent 36-month suspension
- 30-day vehicle seizure
- \$2,000 fine

Third and subsequent offences

- Immediate 90-day licence suspension plus subsequent lifetime suspension



30-day vehicle seizure

- \$2,000 fine

Young/novice drivers (under 18 years of age or in graduated driver licensing program)

- Zero tolerance for alcohol and drugs for novice drivers (in graduated driver licensing program)
- Immediate 30-day licence suspension
- Seven-day vehicle seizure
- Fine
- For each suspension in the final year of the Graduated Driver Licensing (GDL) program, must remain in the GDL program for an additional year.

Commercial operators (zero tolerance for alcohol and/or drugs)

First offence

- Immediate three-day licence suspension
- Fine

Second offence

- Immediate 15-day licence suspension
- Fine

Third and subsequent offences

- Immediate 30-day licence suspension
- Fine

Notes:

1. Drivers issued an IRS (fail) may also be charged under the *Criminal Code*.
2. Drivers issued an IRS (fail) may participate in the Ignition Interlock Program which permits one to operate a vehicle equipped with an ignition interlock device during the period of suspension.
3. All fines are subject to a 20% victim surcharge.

Saskatchewan

BAC 40–80 mg/dl, drug(s) in the driver's system, or both

- Three-day suspension and three-day vehicle impoundment (first offence)
- 21-day suspension and seven-day vehicle impoundment (second offence)
- 90-day suspension and 14-day vehicle impoundment (three or more offences)
- Mandatory 365-day ignition interlock program on third offence

If passenger under 16 years of age:



- Suspensions are seven, 30, and 120 days, respectively
- Impoundments are seven, 30, and 60 days, respectively

BAC 80–159 mg/dl, impaired, refuse demand, over drug limit, or combination of alcohol and drugs

- Immediate, indefinite licence suspension until charges resolved in court
- 30-day vehicle impoundment
- \$1,250 penalty
- Driving Without Impairment program (second offence: Alcohol and Drug Education Program; three or more offences: Addiction Assessment Program)
- One-year Ignition Interlock Program (second offence: three years; three or more offences, 10 years)

BAC \geq 160 mg/dl, impaired, refuse demand, or combination of alcohol and drugs

- Immediate, indefinite licence suspension until charges resolved in court
- 60-day vehicle impoundment
- \$2,250 penalty
- Driving Without Impairment (DWI) program (second offence: Alcohol and Drug Education Program; three or more offences: Addiction Assessment Program)
- Two-year Ignition Interlock Program (second offence: five years; three or more offences, 10 years)

Novice and young drivers (21 years and under)

- Zero tolerance for alcohol and drugs
 - Immediate 60-day licence suspension (second offence 120 days; third offence 18 months)
 - Three-day vehicle impoundment (second offence seven days; three or more offences 14 days)
 - If any passengers < 16 years of age in vehicle, impoundment terms are seven, 30, and 60 days, respectively
 - DWI program (second offence: Alcohol and Drug Education Program; three or more offences: Addiction Assessment Program)
 - Ignition Interlock Program-Voluntary for second offence; mandatory for third offence

Manitoba

Driver suspected of being under the influence of a drug or unfit to drive safely for medical or other reasons

- Immediate 24-hour roadside licence suspension



Immediate Roadside Prohibition: warn on approved screening device, register a BAC of 50–79 mg/dl, have a positive drug screen, or poor performance on physical coordination tests

First offence

- Immediate three-day licence suspension
- Immediate seven-day licence suspension if passenger in vehicle is under 16 years of age
- Immediate three to 30-day vehicle impoundment
- \$400 monetary penalty

Second offence

- Immediate 15-day licence suspension
- Immediate three to 30-day vehicle impoundment
- \$500 monetary penalty

Third offence

- Immediate 30-day licence suspension
- Immediate three to 30-day vehicle impoundment
- \$600 monetary penalty
- Mandatory ignition interlock
- Impaired driver assessment

Fourth (or more) offence

- Immediate 60-day licence suspension
- 30-day vehicle impoundment
- \$600 monetary penalty

Immediate Roadside Prohibition: fail on approved screening device, BAC of ≥ 80 mg/dl, have a positive on a drug screen, poor performance on physical coordination tests

- Immediate 60-day licence suspension
- Minimum 30-day vehicle impoundment (60 days if refuse screening device)
- Longer vehicle impoundment if repeat offence and for higher BACs
- \$700 monetary penalty
- Assessment and remedial program
- Mandatory one-year ignition interlock program

Novice drivers

Under the Graduated Driver's Licence Program, drivers are subject to zero tolerance for alcohol or drugs for the first five years of driving

- Immediate 24-hour roadside licence suspension



- Attend hearing that can impose further sanctions
- Elevated BACs can lead to further sanctions

Ontario

BAC \geq 50 mg/dl (warn range) or poor standardized field sobriety test (SFST) performance

- Immediate three-day suspension + 250 penalty (first offence)
- Immediate seven-day suspension + \$350 penalty (second offence)
- Immediate 30-day suspension + \$450 penalty (third offence)
- Education or treatment program
- Ignition interlock for six months

BAC \geq 80 mg/dl, drug impaired or refuse to comply with testing

First offence:

- Immediate 90-day suspension
- Seven-day vehicle impoundment
- \$550 penalty

Second offence:

- Immediate 90-day suspension
- Seven-day vehicle impoundment
- \$550 penalty
- Education and treatment program

Third offence:

- Immediate 90-day suspension
- Seven-day vehicle impoundment
- \$550 penalty
- Education and treatment program
- Six months ignition interlock

Young (<22) and novice drivers: zero tolerance for alcohol and drugs

First offence:

- Immediate three-day suspension
- \$250 penalty

Second offence:

- Immediate seven-day suspension
- \$350 penalty
- Education or treatment program



Third offence:

- Immediate 30-day suspension
- \$450 penalty
- Education or treatment program
- Six months ignition interlock
- Medical evaluation

Quebec

BAC \geq 80 mg/dl or refuse demand for breath sample

- 90-day suspension
- Possible 30-day impoundment

Novice and young drivers (under 22 years of age)

- Zero tolerance for alcohol and drugs
- Immediate 90-day suspension
- Fine of \$300–\$600

Note: Quebec does not have a law prohibiting driving with a BAC between 50–80 mg/dl

Newfoundland and Labrador

BAC \geq 50 mg/dl or believed impaired by alcohol and/or drugs

First offence

- Seven-day licence suspension

Subsequent offences

- 14-day licence suspension (second)
- two-month licence suspension (third)
- four-month licence suspension (fourth)
- six-month licence suspension (five or more)

BAC \geq 80 mg/dl, fail or refuse to provide sample, or believed impaired

- Seven-day licence suspension followed by 90-day suspension 14 days later

Young (< 22 years of age) and novice drivers

- Zero tolerance for alcohol/drugs
 - Seven-day licence suspension followed by 90-day suspension 14 days later
 - Must restart level and class of licence held at start of suspension

Note: In cases where a blood sample is provided, suspensions begin on the 14th day following receipt of a copy of the certificate of analysis.



New Brunswick

Immediate 24-hour suspension

- Police can issue 24-hour suspension to a driver who they believe is unfit to drive

BAC warn range (BAC 50–80 mg/dl)

First offence

- Seven-day licence suspension
- Discretionary three-day vehicle impoundment

Second offence

- 15-day licence suspension
- Discretionary seven-day vehicle impoundment

Third offence

- 30-day licence suspension
- Mandatory seven-day vehicle impoundment
- Drinking driver education course
- Eligible for ignition interlock program

BAC \geq 80 mg/dl or refuse to provide sample

First offence

- Immediate 30-day licence suspension
- Immediate 30-day vehicle impoundment

Second offence

- Immediate 15-day licence suspension
- 60-day vehicle impoundment

Third offence

- Immediate 30-day licence suspension
- Mandatory 60-day vehicle impoundment
- Drinking driver education course
- Eligible for ignition interlock program

Novice drivers – zero tolerance

Drivers under 21 and those in the graduated licensing program

- Seven-day immediate licence suspension for positive BAC
- Graduated licensing program must be restarted from the beginning
- If BAC $>$ 50 mg/dl, seven-day suspension and possible vehicle impoundment



- If BAC \geq 80 mg/dl, 90-day suspension and criminal charges

Nova Scotia

BAC \geq 50 mg/dl or adversely affected due to alcohol or drug

- Seven-day suspension (first offence)
- Vehicle impoundment three–60 days
- 15-day suspension (second offence)
- 30-day suspension (third offence)

BAC \geq 80 mg/dl or deemed impaired

- 90-day suspension

Novice drivers

- Zero tolerance for alcohol or drugs
- Seven-day suspension (first offence)
- 15-day suspension (second offence)
- 30-day suspension (third offence)

Prince Edward Island

BAC \geq 50 mg/dl or > poor SFST performance (alcohol and/or drug)

- Immediate seven-day suspension (first offence)
- Immediate 30-day suspension (second offence)
- Immediate 90-day suspension (third offence)

BAC \geq 80 mg/dl or over drug limit or fail to comply with demand

- Immediate 24-hour suspension followed by 90-day suspension

Novice and young drivers (under 22 years of age):

- Zero tolerance for alcohol and drugs
 - Immediate 24-day suspension followed by 90-day suspension

Yukon

Peace officer believes driver has consumed alcohol or drugs that impair driving

- Immediate 24-hour suspension (first offence)
- 21-day suspension and 7-day vehicle impoundment (second offence)
- 90-day suspension and 14-day vehicle impoundment (three or more offences)
- Mandatory 365-day ignition interlock program on third offence

If passenger under 16 years of age:

- Suspensions are seven, 30, and 120 days, respectively



- Impoundments are seven, 30, and 60 days, respectively

BAC \geq 80 or refuse to provide sample

- 14 days after offence, 90-day licence suspension (or until convicted in court, whichever is shorter)
- 30-day vehicle impoundment

Novice drivers (in graduated licensing program)

- Zero tolerance for alcohol and drugs
 - 24-hour suspension
 - Possible vehicle impoundment
 - Must restart current phase of GDL

Northwest Territories

Adversely affected due to alcohol, drug, or fatigue

- 24-hour suspension

BAC warn range (BAC 50–79 mg/dl) or impaired by drug

- 24-hour suspension
- 30-day suspension for subsequent offence

BAC \geq 80 mg/dl or fail to provide sample

- Immediate 24-hour suspension followed by 90-day suspension

Novice drivers (learner) or under 22 years of age

- Zero tolerance for alcohol or drugs
- Alcohol or drug present or refuse to provide sample
- 30-day suspension

Nunavut

BAC \geq 50 mg/dl or $>$ lower limit drug or adversely affected by alcohol or drug

- 24-hour suspension (First offence)
- 30-day suspension (Second offence)

BAC \geq 80 mg/dl or over prescribed drug limit

- 90-day suspension

Novice drivers or drivers under 22 years of age

- Zero tolerance for alcohol and drugs
- 90-day suspension



Suggested citation: Beirness, D. (2024) *Administrative sanctions for alcohol and drug use by drivers*. Ottawa, Ont.: Canadian Centre on Substance Use and Addiction.

About CCSA

CCSA was created by Parliament to provide national leadership to address substance use in Canada. A trusted counsel, we provide national guidance to decision makers by harnessing the power of research, curating knowledge and bringing together diverse perspectives.

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