

# Drinking and Driving

*Tough Laws  
applying to On-and  
Off-Road Vehicles*



- Consequences
- Impaired driver assessments



**Manitoba  
Public Insurance**

## **Drinking and driving any vehicle is a crime**

Drinking and driving threatens everyone's safety. Manitoba's tough laws on drinking and driving are now even tougher and apply to all motor vehicles including off-road vehicles and special mobile machines.

## What is an off-road vehicle?

Off-road vehicles are any motorized vehicles designed or adapted for cross-country travel on land, water, ice, snow, marsh or other natural terrain, and some examples are:

- › snowmobiles
- › all-terrain vehicles
- › dirt bikes

## What is a special mobile machine?

Special mobile machines are heavy or agricultural equipment, and some examples are:

- › tractors
- › combines
- › front-end loaders
- › forklifts
- › graders
- › cranes

## Different vehicles — same results

If you drink and then drive a motor vehicle, off-road vehicle or special mobile machine, you will lose the right to drive.

## Impaired driving laws

There are several penalties for driving any vehicle while impaired. All penalties apply to drivers of off-road vehicles and special mobile machines as well as motor vehicles.

- ▶ Your vehicle may be impounded if you have a blood alcohol concentration level of over .08, refuse to provide a breath or blood sample, or refuse a Field Sobriety Test (FST).
- ▶ You can lose your vehicle permanently if you cause an accident that kills or physically harms someone, even if it's a first offence.
- ▶ Your driver's licence can be suspended from one year to life.
- ▶ You can face an additional driver premium of up to \$999.
- ▶ All new drivers are subject to penalties under the zero blood alcohol concentration (0 BAC) restriction.
- ▶ Some drivers may be required to participate in Manitoba's Ignition Interlock Program.

## Consequences of drinking and driving

New drivers who violate the 0 BAC restriction will be subject to a 24-hour immediate roadside suspension and will be required to attend a Show Cause Hearing to determine if their licence will be further suspended. In addition, anyone who drives a motor vehicle, an off-road vehicle or a special mobile machine with a BAC level of between .05 and .08 or fails a Field Sobriety Test will face consequences that may include:

- ▶ an immediate 24-hour licence suspension
- ▶ a \$50\* driver licence reinstatement charge
- ▶ a mandatory **Impaired Driver's Assessment\*\*** at your expense, if you have more than one 24-hour suspension in three years
- ▶ may be identified for Driver Improvement and Control action.

If your BAC level is over .08 or you refuse to provide a breath or blood sample to police, or you refuse a Field Sobriety Test, you will face additional consequences that may include:

- ▶ an automatic three-month licence suspension
- ▶ vehicle impoundment (except SMMs)
- ▶ a mandatory **Impaired Driver's Assessment\*\*** at your expense
- ▶ additional driver premium of up to \$999\*.

### \*\* **Impaired Driver's Assessment**

*An assessment of your alcohol or drug use from the Addictions Foundation of Manitoba (AFM) Impaired Drivers' Program, is required after an alcohol or drug related suspension. You will be required to sign a release authorizing the AFM to access your driving record. A copy of the assessment is sent to Manitoba Public Insurance's Alcohol and Drug Program.*

*You may be referred to an educational workshop, a risk reduction program, or an AFM treatment program. You may also lose your licence and be disqualified from driving until your alcohol or drug use is under control.*

\* Charges and additional driver premiums are subject to change.

## Some consequences of driving while suspended or disqualified

Vehicles and off-road vehicles operated by suspended or disqualified drivers will be impounded. Owners must pay the costs of towing and storage, plus an impoundment charge, before a vehicle is released.



### **Criminal Code offences**

Driving any vehicle while impaired, with a BAC over .08, refusing to provide a breath or blood sample to the police, and/or refusing a Field Sobriety Test are criminal offences. Other related *Criminal Code* offences include:

- impaired driving causing bodily harm or death
- driving or having care or control of a vehicle while impaired by drugs or alcohol
- driving while disqualified.

If you are convicted\* of an impaired driving offence under the *Criminal Code*, your driver's licence will be suspended and you will be disqualified from driving any kind of vehicle. A conviction\* may result in a number of sanctions including:

- a court-imposed minimum one-year driving prohibition
- participation in Manitoba's Ignition Interlock Program
- fines from \$600 to \$2000\*\*
- imprisonment for up to five years for impaired driving
- imprisonment for up to life and a court-imposed prohibition from driving any type of vehicle for up to life, if you cause an accident that results in the death or bodily harm of another person.

\*\* *Fines are subject to change.*

For further information on driver licence suspensions, contact:

**Driver Records and Suspensions:**

Telephone: **204-985-0980**

Toll free: **1-866-323-0543**

For information on appeals, contact the Licence Suspension Appeal Board in Winnipeg at 204-945-7350.

\* a discharge under the *Criminal Code of Canada* for certain driving related offences may be treated as a conviction under *The Highway Traffic Act*.

To make an appointment for a mandatory **Impaired Driver's Assessment**, contact the nearest Addictions Foundation of Manitoba office:

- Brandon** ..... 204-729-3838
- Dauphin** ..... 204-622-2021
- Flin Flon** ..... 204-687-1770
- The Pas** ..... 204-627-8140
- Thompson**..... 204-677-7300
- Winnipeg**..... 204-944-6290

For more information on the laws related to drinking and driving please contact:

**Manitoba Public Insurance  
Alcohol and Drug Program**

Box 6300, Winnipeg, MB  
R3C 4A4

Telephone: 204-985-7694

Toll Free: 1-866-323-0546

This pamphlet is for general information only.  
All charges, additional premiums and fines  
are subject to change.

Website: [www.mpi.mb.ca](http://www.mpi.mb.ca)



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