

Impaired Driving

*Tough laws
apply to on- and
off-road vehicles*



- Impaired Driver Assessments
- Consequences



**Manitoba
Public Insurance**

Driving any vehicle while impaired by alcohol or drugs is a crime

Impaired driving threatens everyone's safety. Manitoba's tough laws on driving while impaired apply to all motor vehicles* as well as to situations where a person operates a vessel, an aircraft or railway equipment while under the influence of alcohol or drugs.

***Motor vehicles include implements of husbandry, special mobile machines, tractors and off-road vehicles.**

Effective Nov. 1, 2003, to operate a special mobile machine, implement of husbandry or tractor, a person must hold a valid minimum Class 5 Intermediate Stage driver's licence. This requirement applies on all provincial trunk highways, provincial roads and highways within the boundaries of a city, town or village.

Impaired driving laws

Manitoba continues to have among the toughest penalties in Canada for driving under the influence of alcohol or drugs.

Zero blood alcohol concentration restriction

Novice drivers who violate the zero blood alcohol concentration restriction may:

- Receive at minimum an immediate 24-hour roadside suspension.
- Be required to attend a Show Cause Hearing with Driver Improvement and Control to determine further sanctions.
- Be required to pay a driver's licence reinstatement charge.



Tiered Administrative Licence Suspensions

Drivers operating a motor vehicle with a blood alcohol concentration between .05 and .08 or who fail a physical coordination test are subject to an immediate Tiered Administrative Licence Suspension.

Tiered Administrative Licence Suspensions are progressively longer suspensions ranging from 24 hours to 60 days depending on how many previous suspensions have been issued to the driver within a 10-year period:

- 24-hour driver's licence suspension for a first occurrence
- 15-day driver's licence suspension for a second occurrence
- 30-day driver's licence suspension for a third occurrence
- 60-day driver's licence suspension for fourth and subsequent occurrences

Drivers receiving two or more suspensions within a 10-year period are also required to complete an *Impaired Driver Assessment* at the Addictions Foundation of Manitoba (AFM) at their own expense.

Drivers who receive a Tiered Administrative Licence Suspension may also be subject to a Driver Improvement and Control intervention which could range from a warning letter to a Show Cause Hearing, at which time a further driver's licence suspension would be considered.

Drivers would also be required to pay a driver's licence reinstatement charge.

Three-month Administrative Licence Suspension

Drivers found with a blood alcohol concentration over .08, who refuse to provide a breath or blood sample, or who refuse to perform a physical coordination test or follow a police officer's instructions regarding the test, will receive an immediate three-month Administrative Licence Suspension. Additional consequences may include:

- being charged under the *Criminal Code*
- vehicle impoundment (except special mobile machines)
- a mandatory *Impaired Driver Assessment* at your expense
- a driver's licence reinstatement charge

Impaired Driver Assessment

An assessment of your alcohol or drug use from the 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.

Criminal Code offences

Driving any vehicle while impaired, having a blood alcohol concentration over .08, refusing to provide a breath or blood sample to the police, refusing to perform a physical coordination test, or refusing to follow a police officer's instructions regarding the test, are *Criminal Code* 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 alcohol or drugs
- 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 type 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.
- A minimum fine of \$1000 for a first offence.
- Up to five years imprisonment for impaired driving.
- Up to life imprisonment 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.



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

For further information on driver's 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.

To make an appointment for a mandatory *Impaired Driver Assessment*, contact the nearest AFM 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 impaired 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. For specific information about the legislation see *The Highway Traffic Act* and/or *The Drivers and Vehicles Act* and regulations. All charges, additional premiums and fines are subject to change.

mpi.mb.ca



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