

1. Driving While Impaired

Alcohol

Alcohol is a depressant, not a stimulant. It reduces alertness and slows normal reflexes. If you've had too much to drink, black coffee, food, a cold shower or fresh air won't sober you up — only time will eliminate alcohol from your body.

Impaired drivers are among the most dangerous, unpredictable individuals on our roads and account for about half of all traffic fatalities in Manitoba. That explains why, in this province, **the penalties for impaired driving are severe.**

If your ability to drive is impaired, a charge of impaired driving can be laid regardless of what level of alcohol is found in your blood. Accordingly, the safest rule to follow is: **if you drink — don't drive.**

Impaired drivers usually fail to recognize they are impaired. Alcohol or drug impairment delays reaction times, distorts vision and impairs judgment.

Drugs

Prescription Drugs

Tranquilizers, antidepressants, sleeping pills and similar drugs can affect driving ability even if taken in the prescribed dosage. Accordingly, if you continue to drive while impaired by any medication, you can be charged with driving while impaired. This will result in the same consequences as if you were impaired by alcohol. Discuss the possible effects of any medication with your doctor or pharmacist.

Illegal Drugs

Illicit drugs may cause hallucinations, hostility and aggressiveness in addition to dulling normal thought processes and slowing down eye-hand coordination. If you are found to be driving while under the influence of illegal drugs, you will be charged with impaired driving.

Never mix drugs and alcohol — even in small quantities.

For information, contact:

Addictions Foundation of Manitoba

Northern Region: 1-866-291-7774

Western Region: 1-866-767-3838

Winnipeg Region: 1-866-638-2561

Website: afm.mb.ca

Email: library@afm.mb.ca

What Can You Do to Prevent Other People from Driving While Impaired?

When you host a party, you can also take steps to discourage guests from driving home if they have had too much to drink. Here are some suggestions:

- Set up “house rules” that make driving home after drinking too much not acceptable. Tell your guests about these rules before they arrive! Then they can make alternative plans for going home if they plan to drink.
- Offer guests fruit juices, mineral water and soft drinks as alternatives to alcoholic beverages.
- Don’t serve “one for the road”. It’s a good idea to close the bar at least one hour before the party ends. Encourage guests to stay for a while by serving food and tea, coffee or other non-alcoholic beverages at this point.
- Have enough spare cash on hand to lend to friends for taxi fare.
- Be prepared to have some guests stay overnight if necessary. A little inconvenience and embarrassment (theirs, not yours) are far better than risking impaired driving.

You don’t have to stop with just yourself or family and friends. Those who belong to groups or clubs can challenge other members to share a leading role in preventing impaired driving. Many groups and organizations sponsor parties and other social events where alcohol is served. All members can participate in making sure no one drives after drinking. People can take turns not drinking so they may drive others home.

Impaired Driving 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.

An off-road vehicle is any motorized vehicle designed and adapted for cross-country travel on land, water, ice, snow, marsh or other natural terrain. Some examples are:

- snowmobiles
- all-terrain vehicles
- dirt bikes

Special mobile machines are heavy or agricultural equipment such as:

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



***Motor Vehicles include Implements of Husbandry, Special Mobile Machines, Tractors and Off-Road Vehicles**

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.

What Are the Consequences?

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

Zero blood alcohol concentration restriction

Novice drivers who **violate the zero blood alcohol concentration restriction** will:

- 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.

Tiered Administrative Licence Suspensions

Anyone who operates a motor vehicle with a blood alcohol concentration between .05 and .08 or who fails a physical coordination test is 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 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.
- Participation in Manitoba's Ignition Interlock Program.
- A driver's licence reinstatement charge.

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 drugs or alcohol.

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 \$1,000 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

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