

Impaired Driving



MANITOBA
PUBLIC INSURANCE

Driving any vehicle while impaired by alcohol or drugs is dangerous and illegal.

Impaired driving threatens everyone's safety. Manitoba's tough impaired driving laws apply when operating all motor vehicles*, as well as vessels, aircrafts and railway equipment, while under the influence of alcohol or drugs.

**Motor vehicles include infrastructure equipment, agricultural equipment and off-road vehicles.*

Impaired driving laws

Manitoba continues to have among the toughest penalties in Canada for driving under the influence of alcohol or drugs. Impaired driving is a serious threat to public safety with significant sanctions and consequences.

Drug impairment

Drivers suspected by police of being under the influence of any drug can receive an immediate 24-hour roadside license suspension.

Drug and Alcohol restrictions

Drivers under the Graduated Driver Licensing (GDL) Program (those with a Learner's or Intermediate licence or who have not held a Full Stage licence for three years) cannot have drugs or alcohol in their system. Those who violate this drug and alcohol restriction may:

- receive an immediate 24-hour roadside suspension
- be subject to an additional suspension from our Driver Improvement and Control Program
- be required to pay a driver's licence reinstatement charge

Immediate Roadside Prohibition

The Highway Traffic Act has been amended to adopt an immediate roadside prohibitions approach to deal with persons driving under the influence of alcohol. This new approach and tough new sanctions would take effect right at roadside, based upon the results of a calibrated screening device (CSD).

Tiered Administrative Licence Suspensions

Anyone who operates a motor vehicle with a blood alcohol concentration between .05 and .079, registers a warn on a CSD, or fails a drug screening test, physical coordination test or drug recognition evaluation is subject to an immediate Tiered Administrative Licence Suspension.

Tiered Administrative Licence Suspensions are progressively longer suspensions ranging from 72 hours to 60 days, depending on how many previous suspensions have been issued to the driver within a 10-year period. Drivers will receive a:

- 72-hour driver's licence suspension for a first occurrence
- Seven-day driver's licence suspension for a first occurrence with a person under the age of 16 in the vehicle
- 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 a fourth and subsequent occurrences

Receiving a Tiered Administrative Licence Suspension moves a driver down the Driver Safety Rating (DSR) scale five levels. Drivers who receive this suspension may also be subject to a Driver Improvement and Control intervention. This could range from a warning letter to a full driving record review, at which time a further driver's licence suspension would be considered. They would also be required to pay a driver's licence reinstatement charge.

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.

Three-month Administrative Licence Suspension

You will receive a three-month Administrative Licence Suspension if:

- your blood alcohol concentration is equal to or over .08
- you register a fail on a CSD
- your blood drug concentration is over five nanograms (ng) of THC
- your combined blood alcohol concentration is over .05 and your blood drug concentration is more than 2.5 ng of THC
- you refuse to provide a breath, saliva or blood sample to police
- you refuse to perform a physical coordination test or drug recognition evaluation, or refuse to follow a police officer's instructions regarding either test
- you have any concentration of illegal drugs in your system

Receiving this suspension lowers a driver's rating on the DSR scale by five levels and requires payment of a driver's licence reinstatement charge. Additional consequences include:

- potential charges under the Criminal Code
- vehicle impoundment
- a mandatory Impaired Driver Assessment at the driver's expense
- participation in Manitoba's Ignition Interlock Program

If you fail or refuse a CSD, you may face enhanced roadside sanctions, including an administrative penalty, vehicle impoundment, mandatory Ignition Interlock participation for one year, and movement of 10 levels down the Driver Safety Rating scale.



What is an Impaired Driver Assessment?

An assessment of your alcohol or drug use from the AFM's 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 Driver Fitness Program.

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

Criminal Code offences

Criminal Code offences include the following:

- driving, or having care and control of a vehicle, while impaired by drugs or alcohol
- impaired driving causing bodily harm or death
- driving with a blood alcohol concentration equal to or over .08
- driving with a blood drug concentration over 5 ng of THC
- driving with a combined blood alcohol concentration over .05 and blood drug concentration over 2.5 ng of THC
- driving with any concentration of illegal drugs in your system
- refusing to provide a breath, saliva or blood sample to police upon request
- refusing to perform a physical coordination test or drug recognition evaluation, or refusing to follow a police officer's instructions regarding either test

In addition to an immediate roadside suspension, if you are convicted of an impaired driving-related Criminal Code offence the penalties include:

- moving an additional five, 10 or 15 levels down the Driver Safety Rating scale
- a significant court-imposed fine
- possible imprisonment
- a court-imposed driving prohibition
- mandatory driver's licence suspension under The Highway Traffic Act
- participation in Manitoba's Ignition Interlock Program
- possible vehicle forfeiture

Note: A discharge under the Criminal Code 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:

MPI Contact Centre

Telephone: 204-985-7000

Toll free: 1-800-665-2410

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

For information on Tiered or Three-Month Administrative Licence Suspension Reviews or to obtain a review application form, visit mpi.mb.ca.



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

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.





MANITOBA
PUBLIC INSURANCE

03/24
FDG0052

mpi.mb.ca