

# Demerit Points

DRIVERS'  
LICENCES



Demerit points are entered on the record of drivers who commit certain offences:

- **under the Highway Safety Code**
- or**
- **under a municipal by-law, provincial or federal statute or regulation concerning road safety.**

## Outside Québec

An equivalent offence committed in another province or in an American state with which Québec has a reciprocal agreement results in demerit points as if the breach had occurred in Québec.

## When are points assessed?

Points are recorded once the SAAQ is advised of:

- **fine payment**
- or**
- **a conviction by the Court of Québec or a municipal court following a traffic offence.**



## How long do Demerit Points remain on record?

### Two years

Demerit points entered on a person's file remain there for two years following the date of conviction or payment of the corresponding fine.

It should be remembered that no notice is sent out when demerit points are written off your record.

## Impact on Insurance Rates?

The amount of insurance premium which funds the public plan administered by the SAAQ depends on the number of demerit points entered on your driving record during the reference period\*.

Demerit Points on Record	Insurance Premium (for 2 years)
0, 1, 2, 3	50 \$
4, 5, 6, 7	100 \$
8, 9, 10, 11	174 \$
12, 13, 14	286 \$
15 and more	398 \$

\* **The reference period** covers the two years ending three months before the holder's birthday. Ex.: if you must renew by August 15, 2005, the reference period begins May 15, 2003 and ends on May 14, 2005.

# Probationary Licence

**At 4 demerit points or more on your driving record**

- As the holder of a probationary licence you are sent a **notice of suspension**.
- This means authorization to operate a motor vehicle is withdrawn.
- The licence must be returned to the SAAQ within ten days of the start of the suspension, which date is shown on the written notice.

## *If you do not hold a probationary licence and 4 points or more are entered on your record*

- The SAAQ sends you a notice that the **right to get a probationary licence will be suspended**.
- This means you cannot get a probationary licence.

## *Effective date of suspension*

- Suspension takes effect 15 days following the date of the notice from the SAAQ.

## *Length of penalty period*

- Three months.

## *Getting a new licence at the end of the penalty period*

- The SAAQ sends you a notice to go to one of its service centres to obtain a probationary licence again.

### NOTE

Demerit point-related measures also apply:

- to holders of a class 5 or 6A learner's licence;
- to holders of a licence for a moped or motorized scooter (class 6D) or a farm tractor (class 8) who are under age 25;
- to holders of a class 6D licence for less than five years;
- to holders of a restricted licence issued following probationary licence suspension.

In the case of persons who do not yet hold a licence to drive and commit offences resulting in the entry of demerit points, the SAAQ will open a record.

## Driver's Licence

### When there are 7 to 14 demerit points on your driving record

- The SAAQ sends you as a driver's licence holder a notice of the fact, and of each further entry of demerit points.

### At 15 points

- **Your driver's licence is revoked**

A person whose licence has been revoked is no longer authorized to operate a motor vehicle.

The licence must be surrendered to the SAAQ within ten days of the date revocation takes effect.

or

- **Your right to get a licence will be suspended**

This means you cannot get any learner's or driver's licence.

### *Effective date of suspension*

- Suspension takes effect 15 days following the date of the notice from the SAAQ.

### *Length of penalty period*

First penalty	3 months
Second penalty	6 months
Third and subsequent penalty	12 months

### *To get a driver's licence again at the end of a penalty period:*

- Make an appointment with an SAAQ service centre near the end of the penalty period, by calling:
  - in Montréal: (514) 873-7620
  - in Québec (city and vicinity): (418) 643-7620
  - from elsewhere in the province, toll free: 1-800-361-7620
- Pass the knowledge test;
- Meet other requirements (a road test in some cases);
- Pay the test and licence fees.

## Restricted Licence

**A restricted licence allows you to operate a road vehicle solely in the performance of work that is your livelihood.**

### *You could qualify if following the entry of demerit points:*

- your probationary licence was suspended

**or**

- your driver's licence was revoked.

### *You cannot qualify if:*

- you held a learner's licence;
  - your record indicates another penalty is outstanding or will be soon outstanding;
  - during the previous two years, following the entry of demerit points or a driving-related Criminal Code conviction:
    - your probationary licence was suspended
- or**
- your driver's licence was revoked

### *To get a restricted licence, you must:*

- submit a request before a judge of the Court of Québec (in the local judicial district). The court clerk and staff may be of assistance in drafting the motion (for a fee);
- inform the SAAQ of the request at least ten days before the scheduled hearing date;
- prove to the judge that you need to drive in order to work;
- ask that the judge issue an order allowing you to obtain a restricted licence;
- go to an SAAQ service centre with the court order.

The SAAQ will issue the restricted licence free of charge on presentation of the order. In certain cases, the SAAQ may ask for a review of the judge's decision or even suspend a restricted licence.

# Offences that result in the entry of Demerit Points

OFFENCE	NUMBER OF POINTS
<b>Speed in excess of the limit prescribed or indicated on a traffic control device:</b>	
by 11 to 20 km/h	1
by 21 to 30 km/h	2
by 31 to 45 km/h	3
by 46 to 60 km/h	5
by 61 to 80 km/h	7
by 81 to 100 km/h	9
by 101 to 120 km/h	12
by 121 km/h or more	15 & +
Driving at a speed too great for weather or road conditions	2
Tailgating	2
Accelerating when being passed	2
Passing a bicycle too closely in a travel lane	2
Failure to yield to pedestrians and cyclists at an intersection	2
Failure to yield to oncoming traffic	2
Sudden braking without cause	2
Failure to stop before turning right at a red traffic light (where permitted)	3
Failure to wear a seat belt	3
Failure to wear a helmet (motorcycles, mopeds & motorized scooters)	3
Prohibited passing on the right	3
Prohibited passing on the left	3
Prohibited driving in reverse	3

OFFENCE	NUMBER OF POINTS
Failure to obey the order or signal of a peace officer, school crossing guard or flag person	3
Failure to obey a red traffic light or stop sign	3
Failure to come to a mandatory stop at a level crossing	3
Prohibited crossing of a line marking off lanes	3
Zigzagging to pass	4
Prohibited passing in a lane reserved for oncoming traffic	4
Speeding or reckless driving	4
Driving for a wager or stake or in a race	6
Failure to stop when approaching a school bus or minibus with its flashing lights in operation, <b>or</b> prohibited passing or meeting of such a vehicle	9
Prohibited use of a tunnel by a vehicle carrying dangerous substances	9
Failure of a driver involved in an accident to do his or her duty	9
Failure to stop at a level crossing when driving a bus, a minibus or a road vehicle carrying certain dangerous substances	9
Driving without an accompanying rider (learner's licence holder)	4
Driving with the presence of alcohol in the body *	4
Failure to provide a breath sample *	4

\* For holders of a learner's licence, a probationary licence or a driver's licence with an alcohol ignition interlock requirement.

## Operating a vehicle during a Penalty Period

### *Operating a motor vehicle while:*

- your learner's licence
  - your probationary licence
  - your driver's licence
- or**
- your right to a licence

is suspended or revoked for the accumulation of demerit points, is an offence.

### *On interception:*

- the vehicle will be seized and impounded for **30 days**. If the vehicle does not belong to you, the owner must be advised without delay;
- you are liable to a fine of **\$600 to \$2,000**, in addition to court costs.

## For further information

### Telephone:

in Montréal: (514) 873-7620

in Québec (city and vicinity): (418) 643-7620

from elsewhere in Québec,

Canada and USA, toll free: **1-800-361-7620**

TDD/TTY



in Montréal: (514) 954-7763

from elsewhere in Québec: 1-800-565-7763

### or write to:

#### SERVICE DE LA GESTION DES SANCTIONS DES CONDUCTEURS

Société de l'assurance automobile du Québec

P.O. Box 19500

Québec QC G1K 8J5

[www.saaq.gouv.qc.ca](http://www.saaq.gouv.qc.ca)



This folder is not a text of law. For any reference of a legal nature, please consult the Highway Safety Code and attendant regulations.

Version française disponible sur demande.

**Société de l'assurance  
automobile**

**Québec**

