

Laws and Penalties

When someone is intercepted in Québec for driving while impaired, there are penalties that apply on two levels: under the Criminal Code of Canada, a federal statute, and under Québec's Highway Safety Code.

	CRIMINAL CODE	HIGHWAY SAFETY CODE
First penalty	<div>Driving prohibition of 1 yr</div> <div>Possible ignition interlock use if a judge so orders after a minimum driving prohibition of 3 months</div> <div>Fine of at least \$600</div>	<div>Licence revocation for a period of 1 yr¹</div> <div>Mandatory Alcofrein² session</div> <div>Summary assessment³ of alcohol or drug consumption habits to determine whether they compromise the safe operation of a motor vehicle</div> <div>If summary assessment is unfavourable</div> <div><div>• comprehensive assessment⁴</div><div>• mandatory ignition interlock use for 1 yr after licence revocation once an assessment is satisfactory for the Société</div></div>
Second penalty	<div>Driving prohibition of 2 yrs</div> <div>Possible ignition interlock use if a judge so orders after a minimum driving prohibition of 6 months</div> <div>Imprisonment for at least 14 days</div>	<div>Licence revocation for a period of 3 yrs¹</div> <div>Comprehensive assessment⁴</div> <div>Mandatory ignition interlock use for 2 yrs after licence revocation once an assessment is satisfactory for the Société</div>
Third or subsequent penalty	<div>Driving prohibition of 3 yrs</div> <div>Possible ignition interlock use if a judge so orders after a minimum driving prohibition of 12 months</div> <div>Imprisonment for at least 90 days</div>	<div>Licence revocation for a period of 5 yrs¹</div> <div>Comprehensive assessment⁴</div> <div>Mandatory ignition interlock use for 3 yrs after licence revocation once an assessment is satisfactory for the Société</div>
Impaired driving causing bodily harm	Imprisonment for up to 10 yrs	
Impaired driving causing death	Maximum life sentence	
Reference period for calculating a repeat offence		10 yrs
Other provisions		<div>Licence suspension on the spot for 30 or 90 days for alcohol use and driving without an ignition interlock</div> <div>Zero alcohol for new licence holders under age 25</div> <div>Vehicle impoundment for driving while prohibited or without a licence 30 days \$1,500 to \$3,000 if alcohol-related offence</div>

¹See the SAAQ folder, "Criminal Code offences. Drivers' licences". ²**Alcofrein program:** driver education program recognized by the Minister of Public Security. The aim of the program is to raise awareness about the problems associated with alcohol and drug consumption (session fee payable by offender). ³**Summary assessment:** aims to determine the likelihood of an individual's repeat impaired-driving offence (fee payable by offender). ⁴**Comprehensive assessment:** aims to identify the behavioural problems, establish a supervision and follow up plan according to the severity of a case and the individual's motivation (several meetings over a period of six to nine months, fee payable by offender). * **N.B.:** assessments are conducted by recognized addiction rehabilitation centre professionals working in the health and social services network.

Simple and effective solutions

Do not drive:

- Take a taxi: if you get a cab to go as well as to return home, you won't have to worry about your vehicle, and can enjoy yourself without the question of safe travel looming over you;
- Use public transit: easily accessible in the city, a bus or the métro take you just about everywhere at little expense;
- Sleep over at a friend's place;
- Call on Nez rouge during the year-end holidays. Similar services operate in some areas the rest of the year. Taxi operators sometimes offer package deals. Find out about it.

Other hints:

- Drink less, slower;
- Have some food with your drink;
- Space out your drinks;
- Don't be in hurry to get into your vehicle; take the time to have some water or other non-alcoholic beverage, or a coffee.



Don't let your friends drink **and** drive.

Insist!

Real friends do not allow someone to drive while impaired. Each of us has a responsibility to insist.

How?

- By making it clear you disapprove of drinking and driving.
- By sticking up for those who intervent to prevent someone from taking the controls of a motor vehicle even though impaired.
- By putting forward simple solutions.

Preventing someone from driving while impaired is everyone's responsibility.

Combat **drunk driving**

C-4011-A

Don't drive!

Impaired?





Watch out.

Choose between drinking and driving

If you drive with alcohol-impaired faculties, you risk severe penalties in addition to tempting fate; your likelihood of becoming involved in a fatal accident is multiplied:

- at .04 blood-alcohol concentration, by 1.5;
- at .08 by 3; and
- at .16, it is 30 times higher.

Currently, alcohol use enters into about 30% of fatalities, 18% of accidents with serious injuries and 5% of slight-injury mishaps on Québec roads. Despite a marked decrease in impaired driving over the recent past, alcohol still competes with speeding as the most frequent cause of accidents.

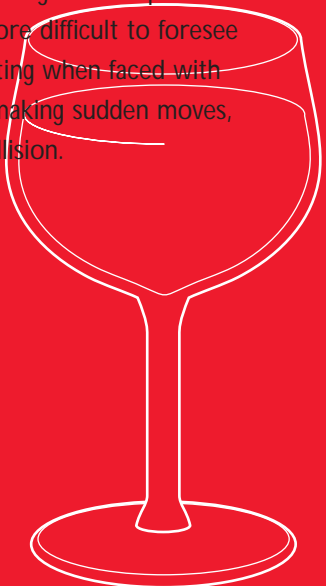
It is a personal responsibility to make sure that when we do drink, we have a safe alternative to taking the controls of a motor vehicle.

Driving ability is impacted with the first drink.

Behaviour is affected starting with a single drink: alcohol diminishes fitness to drive, just as do some medications and drugs.

These substances change a driver's perception of reality and quickly have an effect on how one feels: you become light-headed and more daring, but also less attentive. Body movements are inaccurate. Judgment is altered and ability to react to danger is considerably reduced.

Instead of being on the lookout for danger by scanning the road ahead, on the sides and behind, you tend to fix your gaze on a point or object, which makes it more difficult to foresee situations: rather, by reacting when faced with imminent obstacles and making sudden moves, you might not avoid a collision.



What affects driving ability?

Alcohol is a central nervous system depressant that lowers tension and inhibitions. It is not the only substance with like effects: tranquillizers, sleeping pills and most medications used to counter allergy symptoms have similar effects, as do drugs. Mixing medication or drugs with alcohol yields a public danger!

A person's weight, height and sex affect the action of those substances on the metabolism. Fatigue, stress, physical condition and heredity as well as the consumption level also enter into play; the amount consumed and the time frame, which will determine the rate of absorption, and the fact of having eaten or not must be considered.

Maybe you had a very busy week, piling on overtime to meet the demands of your boss or customers, and a Happy Hour with workmates seems a soothing way to bring it to an end; you can't wait to throw one back, so without eating, you have a first drink. It goes to your head and you find yourself more talkative than usual. When you get up to go to the bathroom, you notice that the alcohol has gone to your legs: definitely affected!



Stress Fatigue



It's a matter of time

Ninety percent of the alcohol we drink is broken down by the liver. Taking a cold shower going for a walk, or dancing eliminates only a small amount of alcohol. Time is needed for the liver to do its work.

It takes much longer to metabolize alcohol than to ingest it. Allowing for individual differences, the liver breaks alcohol down at an hourly rate of 15 mg, the amount in a glass of beer, wine or liquor. To eliminate 70 mg alcohol, therefore, a body needs about five hours on average.

How do you recognize impairment?

Alcohol is easier to measure than impaired ability to drive; alcohol concentration, expressed in milligrams per 100 ml of blood, is determined from a breath sample that is taken using an expert-calibrated machine. Impairment can be observed in an individual from various clues that reveal behavioural change.

There are physical signs in a person who has been drinking that point to impaired ability to drive: reddened eyes, more rapid breathing, sweating. The person may start speaking louder and faster, with some slurring, have difficulty standing up and walking in a straight line, might even stagger and stumble. Someone who is impaired will seem distracted, answer questions slowly, make uncoordinated limb movements and even tend to fall asleep. Alcohol can increase sadness, make a person loud and aggressive, or provoke uncontrollable laughter.

