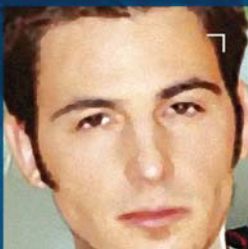
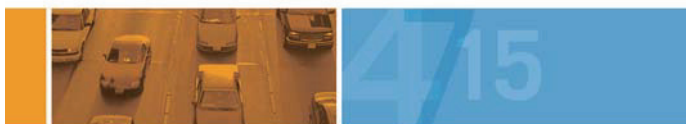


Demerit Points

DRIVERS' LICENCES
NEW PENALTIES



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 offence occurred in Québec.

Impact on Insurance Rates

The amount of the insurance contribution included in your driver's licence fees funds the public plan administered by the SAAQ and depends on the number of demerit points entered on your driving record during the reference period.



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.**

Operating a Vehicle During a Penalty Period

You are committing an offence if you operate a motor vehicle while:

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

is suspended or revoked for the accumulation of demerit points.

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.

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- This means authorization to operate a motor vehicle is withdrawn.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 date on the suspension 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 or more

- **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 on the revocation notice.
or
- **Your right to get a licence will be suspended**
This means you cannot get a 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 any subsequent penalties	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 Québec, Canada and USA, 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 for 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 offence is outstanding or will soon be 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 P

OFFENCE	NUMBER OF POINTS
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
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
Driving while using a hand-held device that includes a telephone function	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, or 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

OFFENCE	NUMBER OF POINTS
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..*

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.

Excessive speeding

As of April 1, 2008, harsher penalties come into effect to help deter excessive speeding.

What is excessive speeding?

You are committing an excessive speeding offence if you exceed the speed limit:

- by **40 km/h** or over in a **zone of 60 km/h or less**;
- by **50 km/h** or over in a **60 km/h to 90 km/h zone**;
- by **60 km/h** or over in a **100 km/h zone**.

OFFENCES

DEMERIT POINTS

EXCEEDING THE SPEED LIMIT

Travelling over the statutory speed limit or posted speed limit

Zone of
60 km/h
or less

60 km/h to
90 km/h
zone

100 km/h
zone

by 11 to 20 km/h

1

1

1

by 21 to 30 km/h

2

2

2

by 31 to 45 km/h

31 to 39 km/h

3

3

3

40 to 45 km/h

6

3

3

by 46 to 60 km/h

46 to 49 km/h

10

5

5

50 to 59 km/h

10

10

5

60 km/h

10

10

10

by 61 to 80 km/h

14

14

14

by 81 to 100 km/h

18

18

18

by 101 to 120 km/h

24

24

24

by 121 km/h or over

30 or more

30 or more

30 or more

EXCESSIVE SPEEDING

Ten Years

Excessive speeding offences are taken into consideration for **10 years**, meaning that if you are stopped again during that period for the same offence, you could face even harsher penalties.

NEW PENALTIES IN EFFECT SOON

Over the next few months, harsher penalties will come into effect on the date determined by the Government of Québec.

Depending on the number of convictions on your record since April 1, 2008 and the speed limit in the zone where this offence committed, you could face :

- immediate suspension of your driver's licence for 7, 30 ou 60 days;
- immediate seizure and impoundment of the vehicle for 30 days.

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:

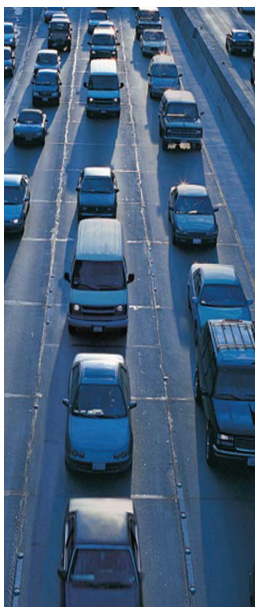
SERVICE DE LA GESTION DES SANCTIONS DES CONDUCTEURS

Société de l'assurance automobile du Québec

P.O. Box 19500

Québec QC G1K 8J5

www.saaq.gouv.qc.ca



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



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