

Chapter 7:

Highway Safety Programs



Safety is the main aim of the Highway Safety Division. We are responsible for driver licensing, vehicle registration and inspection. Highway Safety administers programs for drivers who have difficulty maintaining safe driving practices. These programs are Driver Rehabilitation Courses, Driver Improvement Courses and the Novice Driver Course.

DRIVER REHABILITATION COURSE

Alcohol is a major factor in automobile collisions and fatalities. The *Highway Traffic Act* requires people who are convicted of a first impaired driving charge under the Criminal Code of Canada to take a Driver Rehabilitation Course.

Highway Safety runs a Driver Rehabilitation Course (DRC) to educate people convicted of:

- impaired driving;
- refusing the alcohol roadside screening test; or

- failing the breathalyzer test, e.g., having more than 0.08 blood alcohol content.

Each person having a conviction must attend and successfully complete a Driver Rehabilitation Course before he or she can become eligible for the reinstatement of their Driver's Licence.

A Driver Rehabilitation Course involves resource people, including addiction counsellors, police, legal, insurance and other professionals.

The course includes:

- a series of films;
- discussions;
- lectures;
- demonstration projects; and
- written assignments about the problems involved in drinking and driving.

The course is held in Charlottetown, Summerside and Montague.

DEFENSIVE DRIVING COURSE

This course is for drivers who wish to improve their knowledge, skills and safe driving attitudes. They may also wish to reduce the number of demerit points accumulated on their driving record and avoid a possible suspension. Drivers with up to 11 demerit points may, upon successful completion of the course and exam, be awarded three merit points. The course includes six, one-hour sessions. Each session deals with different methods of preventing collisions. It offers drivers a way of improving their driving skills and avoiding collisions.

The Canada Safety Council's Defensive Driving Course (D.D.C.) is made available in Prince Edward Island through the St. John Ambulance (PEI Safety Council.)

DRIVER IMPROVEMENT COURSE

Drivers suspended under the Demerit Point System must attend and complete the Driver Improvement Course within a six-month period following the reinstatement of a Driver's Licence. Participation in the course is not required of drivers whose licences are suspended for other reasons.

The aims of the course are to improve drivers' attitudes and to encourage improved driving skills. Emphasis is placed on a driver's attitude toward obeying the law and accepting responsibility.

The Driver Improvement Course consists of four, two-hour classroom sessions which include lectures, films and discussion. Drivers enrolled must pass a test at the end of the course.

To find out more about these courses call the Highway Safety office at (902) 368-5210.

DEMERIT POINT SYSTEM SCHEDULE FOR EXPERIENCED DRIVERS

The Demerit Point System gives a graduated number of demerit points for traffic convictions based on the seriousness of the traffic violation.

An experienced driver is a driver who has held a valid Driver's Licence for more than two years and is not a newly licensed driver under the Graduated Driver Licensing (GDL) Program.

The violations are as follows:

- accumulation of 6, 7 or 8 points – a warning letter;
- accumulation of 9, 10 or 11 points – an interview;
- accumulation of 12 or more points – a three-month suspension.

The violator loses his or her Driver's Licence when 12 demerit points are accumulated on his or her record within a two-year period.

(see chart on next page)



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Demerit Point System

Points	Description of Offence
12	Criminal negligence involving the use of motor vehicle
12	Motor manslaughter
12	Failing to stop at a scene of an accident
12	Dangerous driving
12	Obtaining licence by misrepresentation
8	Failing to stop for a school bus receiving or discharging school children
6	Driving while registration or licence under suspension or while disqualified
6	Speeding - 30 or more kilometres per hour over the legal speed limit
5	Racing
5	Driving imprudently or without due care and attention or if disabled
3	Failing to wear a seat belt
3	Failing to report an accident
3	Speeding - under 30 kilometres per hour over the legal speed limit
3	Improper passing
3	Any offence under the <i>Highway Traffic Act</i> involving the use of a vehicle in motion, improperly parked or being operated with unsafe or insufficient equipment

NOTE: This is a sample of some of the demerit points assigned.

THE DEMERIT POINT SYSTEM

The Demerit Point System provides for a graduated number of demerit points for traffic convictions. The system identifies drivers whose records show them to consistently disregard the Rules of the Road, thereby endangering their own and others' safety. When a driver accumulates a specified number of demerit points, his/her Driver's Licence will be suspended for at least three months.

GRADUATED DRIVER LICENSING PROGRAM

NEWLY LICENSED DRIVERS

Newly licensed drivers undergo a probationary period of two years, and passenger restrictions. During Stage 2, a newly licensed driver is warned at three, four or five demerit points, and suspended for one month at the six-point level. During Stage 3, a warning will occur at five, six, seven or eight demerit points and a suspension for one month when nine demerit points

are accumulated. Corrective action is taken by safety specialists during or shortly after the suspension.

While in the Graduated Driver Licensing Program, if you receive a seat-belt fine, your licence will be suspended. If any of your passengers are charged for failing to wear a seat belt, you may be issued a fine.

GRADUATED LICENSING APPROACH

Recent changes to the Prince Edward Island *Highway Traffic Act* regarding a Graduated Driver Licensing Program for drivers went into effect April 1, 2007. Following are the important changes:

Waiting Period

All drivers who receive their Instruction Permit must wait 365 days (275 days if actively enrolled in a driver education program) before taking their road test.

Drivers Providing Instruction

Drivers providing instruction to a beginner driver with an Instruction Permit must have held a valid Driver's Licence for at least four years.

PASSENGER RESTRICTIONS

Effective February 5, 2007, all newly licensed drivers (one who has held a licence less than two years) will be subject to the following passenger restrictions:

- during Stage 2, a newly licensed driver, regardless of age, will be restricted to one non-family passenger. Any additional passengers must be the newly licenced driver's immediate family. All passengers in the vehicle shall be restricted to the number of seat belts;
- during Stage 3, a newly licensed driver, regardless of age, will require all passengers in the vehicle to be restricted to the number of seat belts.

SUSPENSIONS UNDER THE DEMERIT POINT SYSTEM

Upon the accumulation of nine to 11 demerit points within 24 months, a driver must show cause why his/her licence should not be suspended. When such cause is not shown, the Driver's Licence can be suspended for up to three months. Upon the accumulation of 12 or more demerit points, the Driver's Licence will be suspended for three months.

Following suspension, a driver will be placed on probation for a period of one year. Conviction for an offence involving the use of a motor vehicle in motion or improper parking while on probation results in another three-month suspension.

"0" BLOOD ALCOHOL CONTENT (BAC) FOR NEW DRIVERS

All new drivers under 19 years of age or new drivers who have held their Driver's Licence for less than

three years (regardless of age) must have a "0" blood alcohol content (BAC) when driving. An offence will result in a 24-hour roadside suspension and a 90-day administrative prohibition.

OFFENCES RESPECTING VOLUNTARY IDENTIFICATIONS/ DRIVERS' LICENCES

Voluntary Identifications

Any person who:

- (a) presents a false document for the purpose of obtaining a photographic identification;
 - (b) permits any other person to use a photographic identification issued to the first person;
 - (c) uses a photographic identification for the purpose of making a false representation;
 - (d) defaces or alters a photographic identification; or
 - (e) has in one's possession a photographic identification that has been defaced or altered;
- is guilty of an offence and liable on summary conviction to a fine not exceeding \$500.*

Driver's Licence Offences

Any person who:

- (a) defaces or alters a Driver's Licence or displays or causes or permits to be displayed or has in one's possession a Driver's Licence that is fictitious or has been defaced, altered, canceled or suspended;
- (b) lends to or permits the use of by another person any Driver's Licence issued to the person so lending or permitting the use thereof;
- (c) displays or represents as one's own, any Driver's Licence not issued to him/her;
- (d) fails or refuses to surrender to the registrar or to a peace officer or inspector upon notice or demand a Driver's Licence that has been suspended or cancelled; or
- (e) gives a false or fictitious name or gives a false address in any application for a Driver's Licence or duplicate thereof or makes a false statement or conceals a material fact in the application or in any

statement made or in giving information to the registrar for any purpose in connection with the *Highway Traffic Act*;

is guilty of an offence and on summary conviction will have 12 demerit points entered on their driving record and their Driver's Licence suspended for a period of three months.

CRIMINAL CODE OFFENCES

Criminal negligence, motor manslaughter, failing to stop at the scene of an accident and dangerous driving are Criminal Code offences. Conviction for any of these offences results in a 12-month suspension under the Demerit Point System Regulations.

Impaired driving, failure or refusal to provide a blood sample, refusing the breathalyser demand or any approved roadside screening device, and failing the breathalyzer (a reading of more than 0.08) are Criminal

Code offences. Conviction for any of these offences results in the following cancellations under the *Highway Traffic Act*:

First Offence	one-year cancellation
Second Offence	three-year cancellation
Subsequent Offences	five-year cancellation

24-HOUR ROADSIDE SUSPENSION

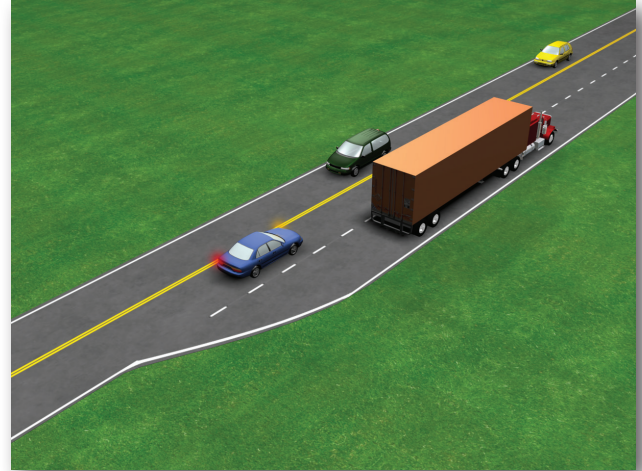
Any person who is the driver of a motor vehicle where, upon demand of a peace officer provides a sample of his/her breath which, on an analysis by an approved screening device, registers "WARN" or "FAIL" is guilty of an offence and a peace officer shall request the driver to surrender his/her licence and his/her driving privileges will be suspended for a period of 24 hours from the time the request is made.

DRIVING WHILE DISQUALIFIED

A conviction for driving while disqualified will result in a six-month cancellation to be applied consecutively to the period of the existing suspension, cancellation or disqualification.

VEHICLE IMPOUNDMENT

A vehicle impoundment may be issued when a person is operating, or has care or control of a motor vehicle, while they are prohibited from doing so by reason of a suspended or cancelled driver's licence and has been convicted in the past two years, for driving while suspended or disqualified. Impoundment will be for 30 days for a first offence and up to 60 days for a subsequent offence.



Chapter 7: Ignition Interlock Program

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WHAT IS THE IGNITION INTERLOCK PROGRAM?

The Prince Edward Island Ignition Interlock Program will allow early reinstatement of a driver's licence after a drinking and driving conviction, upon a successful application. The program is available to offenders and is designed to encourage these individuals to get help quickly and address any alcohol-related problems.



HOW DOES AN IGNITION INTERLOCK DEVICE WORK?

Before starting the vehicle, the driver must blow into the device. If the recorded blood alcohol concentration (BAC) is above the pre-set limit, the vehicle will not start. Once the vehicle is started, the interlock device requires random breath samples at pre-set times.

If a breath sample is not provided or if the BAC exceeds the limit, the device will issue a warning, record the event and activate specific alarm systems (i.e., alarm activated, horn honking, etc.) until the ignition is turned off.

HOW CAN I APPLY FOR INSTALLATION OF THE DEVICE?

You may complete and submit an application form.

HOW DOES THE PROGRAM WORK?

Eligible drivers will have interlock devices installed in their vehicles. The driver will be issued a restricted driver's licence which allows the individual to operate only vehicles equipped with an ignition interlock device. The device prevents the driver from starting the vehicle if the device detects alcohol above the pre-set level in the driver's breath samples. The driver

must return to the installation facility to have the device calibrated and serviced at least every 60 days. Failure to service the system by the required date could result in the device locking itself. The vehicle will not start and will have to be towed or arrangements made to the interlock provider to allow additional days to bring the vehicle in for servicing of the device.

All program activity will be recorded and monitored by Highway Safety by way of a built-in data logger. Warnings will be issued to participants who repeatedly fail the breath test, and Highway Safety may order the removal of the ignition interlock



device and reinstate the suspension period if violations continue.

WHO IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM?

The following criteria determines eligibility:

- You have been convicted of impaired driving or refusing a breathalyzer demand.
- The Registrar of Motor Vehicles has authorized your use of an ignition interlock device.
- You have served the court-ordered minimum mandatory prohibition period.
- You have served all suspensions and paid all outstanding fines.
- The vehicle in which the ignition interlock device is to be installed has a valid registration, insurance and vehicle inspection.