



STRENGTHENING IMPAIRED DRIVING LAWS: QUICK REFERENCE

Note: The following is a general overview of how alcohol- and drug-impaired driving laws would change if the newly introduced legislation comes into force. For a more detailed explanation of the new legislation, see [Strengthening Impaired Driving Laws](#).

DRUG-IMPAIRED DRIVING

PENALTIES

2 nanograms (ng) but less than 5ng of THC per 1 millilitre (ml) of blood	Maximum \$1,000 fine	
5 ng or more of THC per 1ml of blood	First offence	Minimum \$1,000 fine
	Second offence	Mandatory imprisonment for 30 days
	Third and subsequent offence	Mandatory imprisonment for 120 days
2.5 ng or more of THC per 1ml of blood + 50 milligrams (mg) of alcohol per 100ml of blood	First offence	Minimum \$1,000 fine
	Second offence	Mandatory imprisonment for 30 days
	Third and subsequent offence	Mandatory imprisonment for 120 days

TESTING

Current laws	Proposed legislation
Police cannot test for the presence of drugs at roadside.	Police will be able to test oral fluid if they reasonably suspect a drug is in the driver's body.
Police can only require standard field sobriety tests (SFST)	Police, in addition to SFST can test oral fluid for the presence of drugs
Police who believe a person is impaired by a drug can demand a drug evaluation	Police can demand a blood sample in addition to the drug evaluation

ALCOHOL-IMPAIRED DRIVING

CURRENT LAWS		PROPOSED LEGISLATION	
Roadside alcohol screening			
Police officers must suspect that any lawfully stopped driver has alcohol in their body.		Police officers can require any lawfully-stopped driver to provide a preliminary breath sample, without suspicion of alcohol. What doesn't change is police powers - all drivers must be treated fairly under the law.	
Impaired driving causing no bodily harm or death - Mandatory minimum penalties			
First offence	\$1,000 fine	First offence + BAC of 80-119mg	Mandatory \$1,000 fine (no change)
Second offence	Imprisonment for 30 days	First offence + BAC of 120-159mg	Mandatory \$1,500 fine
Third and subsequent offences	Imprisonment for 120 days	First offence + BAC of 160mg or more	Mandatory \$2,000 fine
		First offence + refusal to be tested	Mandatory \$2,000 fine
		Second offence	Mandatory imprisonment for 30 days (no change from current law)
		Third and subsequent offences	Mandatory imprisonment for 120 days (no change from current law)
Impaired driving causing no bodily harm or death - Maximum sentences			
18 months on summary conviction		2 years less a day on summary conviction	
5 years on indictment		10 years on indictment	
Impaired driving causing bodily harm or death - Mandatory minimum penalties			
First offence	Mandatory \$1,000 fine	There will be no mandatory minimum penalties for drivers convicted of impaired driving involving bodily harm.	
Second offence	Mandatory 30 days imprisonment		
Third and subsequent offences	Mandatory 120 days imprisonment		
Impaired driving causing bodily harm - Maximum penalties			
First offence	10 years imprisonment	2 years less a day (summary conviction)	
Second offence	10 years imprisonment	14 years (indictment)	
Third and subsequent offences	10 years imprisonment		
Impaired driving causing death - Maximum sentence			
Life imprisonment		Life imprisonment (no change from current law)	
Wait time for provincial ignition interlock program			
First offence	3 months	First offence	No wait
Second offence	6 months	Second offence	3 months
Third and subsequent offences	12 months	Third and subsequent offences	6 months