Ministry of Transportation

Ministère des Transports

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Ontario

June 15, 2018

Dear Road Safety Partners:

Re: Road Safety Measures under the *Making Ontario's Roads Safer Act, 2015* and the *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017*

The safety of Ontario's roads and highways is our top priority. We are committed to ensuring a high standard to keep Ontario's roads among the safest in North America.

As you may already be aware, Ontario is making changes to the Highway Traffic Act and its regulations that were enacted under the Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, Schedule 4 and the Making Ontario's Roads Safer Act. These amendments include a number of new measures to address the issues of impaired driving, distracted driving and vulnerable road user safety. Of particular note are the new zero tolerance measures for drivers of commercial vehicles.

Starting July 1, 2018, drivers of commercial vehicles must have a blood alcohol concentration of zero when driving a commercial vehicle. If a commercial driver has alcohol in their system, they will face serious penalties, including licence suspensions and administrative monetary penalties.

With the federal government's intentions to legalize cannabis, zero tolerance drug sanctions will also be effective starting July 1, 2018. It is important to note that the zero tolerance drug sanctions will not be enforced until the Federal Minister of Justice approves and authorizes the use of an approved drug screening equipment.

Measures that will take effect July 1, 2018

<u>Impaired Driving:</u>

- Zero tolerance sanctions prohibiting drivers of commercial vehicles from having the presence of a drug or alcohol in their body, as detected by a federally approved oral fluid screening device or an approved alcohol breath screening device.
    - Applies to commercial vehicles defined as:
        - a vehicle requiring a A, B, C, D, E, or F licence to operate;
        - a road building machine;
        - a vehicle that requires a Commerical Vehicle Operator's Registration (CVOR).

- **NOTE:** As stated above, zero tolerance sanctions for drugs will be effective as of July 1, 2018 but will be enforced once approved drug screening equipment has been authorized in federal legislation.

- Increased penalties for zero tolerance alcohol sanctions prohibiting young (under 22) and novice drivers (G1, G2, M1, M2 drivers) from having the presence of alcohol in their body, as detected by an an approved alcohol breath screening device.

- Extending administrative licence suspension length for zero tolerance sanctions prohibiting young and novice drivers from having the presence of alcohol in their body from 24 hours to three, seven, or 30 days based on occurrence within the last five years.

Young, novice and commercial drivers will be subject to mandatory remedial education or treatment programs; and, ignition interlock (II) requirements for repeat occurrences.

- Medical cannabis users may be exempted from zero tolerance sanctions if a police officer is satisfied that they are legally authorized to use drugs for medical purposes; however, these drivers can still face penalties or criminal charges if a police officer determines that their ability to drive has been impaired.

- 45, 90, or 180-day Vehicle Impoundment Program (VIP) rules will apply to all Criminal Code of Canada (CCC) related suspensions. The current appeal ground for impoundments of 45 days or longer will include drivers who were not subject to an II condition at the time of the VIP.

- There will be a single consistent authority in the HTA to suspend a driver's licence for failure to complete a prescribed remedial program and II condition on a licence after reinstatement from a CCC suspension.

Vulnerable Road User Safety:

- Flashing blue lights will be permitted for enforcement and emergency vehicles that are already permitted to use red flashing lights.

- MTO will be increasing the maximum fine under the HTA's general penalty provision from $500 to $1000.

Measures that will take effect September 1, 2018

Vulnerable Road User Safety:

- Increased penalties for all drivers who fail to yield for pedestrians at crosswalks, crossovers and school crossings and escalating fines for all drivers who are

convicted of multiple pedestrian-related offences within a five-year window. The fine range will increase from $150-$500 to $300-$1000 and four demerit points will now be applied instead of three.

- A new offence for careless driving causing death or bodily harm.Penalties can include up to a$50,000 fine, licence suspensions of up to five years, 6 demerit points and up to two years imprisonment.

Measures that will take effect January 1, 2019

Impaired Driving:

- Increased administrative monetary penalties (AMPs) for all alcohol and drug impaired drivers and ensure that drivers pay an AMP and a licence reinstatement fee.
    - Escalating AMPs will apply along with a $198 license reinstatement fee for short-term licence suspensions (3, 7, or 30 days):
        - $250 for a first occurrence.
        - $350 for a second occurrence.
        - $450 for a third occurrence.
    - $550 AMP will apply along with a $198 license reinstatement fee for long-term licence suspensions (90 days).

Distracted Driving:

- Tougher penalties for distracted driving, including escalating fines, demerit points and licence suspensions. Demerit points will now escalate for a second offence from three to six demerit points.

If you or your members have any questions about any of these changes, please contact Maureen Tetzlaff, Director, Safety Policy and Education Branch at (416) 235-4776 or Maureen.Tetzlaff@ontario.ca.

For more information please visit www.Ontario.ca/cannabis and www.Ontario.ca/drivesober.

Sincerely,

Kevin Byrnes
A/Assistant Deputy Minister
Road User Safety Division

c: Maureen Tetzlaff