



Type of law:

CRIMINAL LAW

Driver's Licence Suspensions



A 2023 Alberta Guide to the Law

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Driver's Licence Suspension

In Alberta there are two main sets of laws that deal with drivers: The Traffic Safety Act and the Criminal Code of Canada



1. Driving is a privilege and not a right, your licence can be suspended for multiple reasons



Ex. Driving under the influence of Alcohol or Drugs, Accumulating demerit points, Careless driving, failing to fulfill the duties that arise after an accident, etc.



2. It is an offence to drive while your licence is suspended



This includes if your licence was suspended in a place other than Alberta. It is also illegal to be in possession of an Operators licence while it is suspended.



3. Getting your licence back



Along with the allotted suspension period you must complete the conditions of your suspension before you can get your licence back. This can include completing a driving course or paying of a Licence Reinstatement Fee



4. Appealing a suspension

Appealing a suspension varies depending on the reason. Appeals go through the Alberta Transportation Safety Board. You can only submit appeals for suspensions that are 7 days or longer and the appeals must be submitted within 30 days of the suspension being issued.



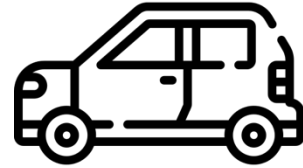
IF YOU SUSPECT THAT YOUR LICENCE MAY BE SUSPENDED, BE SAFE AND CONTACT YOUR LOCAL MOTOR VEHICLES REGISTRY BRANCH.

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INTRODUCTION

In Alberta there are 2 main sets of laws that deal with drivers: The *Traffic Safety Act*, and the *Criminal Code of Canada*. This pamphlet will discuss some of the most common reasons why drivers in Alberta have their driver's licences suspended and how these laws apply to suspensions.



Terms to Know

“Motor Vehicle”

A motor vehicle is a vehicle that is powered by something other than human motion. An example of a motor vehicle would be a car or a moped. While the *Traffic Safety Act* does apply to vehicles powered by human motion, such as bicycles, those vehicles are not considered “motor vehicles.” Please note that the *Traffic Safety Act* does not include tractors (implement of husbandry) or electric bicycles as a motor vehicle. This exclusion is not present in the *Criminal Code of Canada* definition of motor vehicle.

“Highway”

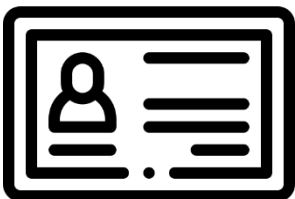
Any road which the public has a right of access to, including bridges and tunnels.

“Operator’s licence”

Any licence or permit issued anywhere which allows a person to drive a motor vehicle in Alberta.

Who Can Drive in Alberta?

In order to obtain an Alberta driver's licence, you must provide proof that you are lawfully entitled to be in Canada and that you are an Alberta resident. If you are a new resident in Alberta, you must register your vehicle(s) and obtain an Alberta driver's licence within 90 days of moving to the province. However, if you are staying here as a full-time student or you are working here as part of a co-op program of study, you may use your valid registration and licence plates from your home province.



A person cannot apply for an Alberta licence if they are currently suspended from driving in another province or American state. You must

contact that province and clear that suspension based on their legislation and regulations before you can be licenced in Alberta.

It is an offence to have more than one valid licence. An Alberta licence may only be replaced if it is damaged, lost or expired.

You must also have valid insurance and the registration must be in your name.

When Can Someone Not Drive in Alberta?

In Alberta a person cannot drive a vehicle if they do not hold a driver's licence or it has been suspended. This includes suspensions issued in places other than Alberta.

It is illegal to be in possession of an operator's licence while it is suspended. You must surrender your operator's licence to a registry agent if it is suspended or cancelled. It is a serious offence to drive while under suspension.

Under section 94 of the *Traffic Safety Act*, you are not authorized to drive in Alberta if your driver's licence is suspended, you are disqualified from driving in Alberta, your licence or permit to drive has been cancelled somewhere other than Alberta, or your privilege to secure a licence or permit in a jurisdiction outside Alberta has been cancelled. If your licence is suspended for a period of time, after that suspension time has passed you are still suspended from driving until you have a valid licence back in your possession.



A person who violates section 94 of the *Traffic Safety Act* for the first time may receive a fine of up to \$2000, and if they fail to pay the fine, a term of imprisonment for between 14 days and 6 months. For each subsequent offence committed within one year of the first offence, the punishment is imprisonment (for a term of 14 days to 6 months). Additionally, a person who drives when they are not authorized to drive will be disqualified from driving for an additional 6 months from the day he or she is found guilty for driving when unauthorized.

WAYS A LICENCE CAN BE SUSPENDED

Driving is considered a privilege not a right and as such, the Alberta Transportation Safety Board has the power to suspend an Alberta driver's licence if they think it is necessary. A driver may have their licence suspended because of **impaired driving, violating another**

criminal code section dealing with driving, accumulating demerit points, or other reasons under the *Traffic Safety Act*.

Impaired Driving

There are two sets of laws that deal with impaired driving, the Federal *Criminal Code of Canada* and the Provincial *Traffic Safety Act*. Impaired driving is driving under the influence of alcohol, drugs or a combination of both. With both laws there are certain amounts of alcohol, cannabis, or other drugs in the bloodstream which are prohibited while driving.

Federal: Criminal Code of Canada



It is an offence to drive while impaired, AND to drive while your blood alcohol level is above 80 mg in 100 mg of blood. It is also an offence to be impaired within two hours of ceasing to drive or have care or control of a motor vehicle. This means it is an offence to have the prohibited amount of alcohol, cannabis, and/or impairing drug in your system within two hours of driving.

Noteworthy sections of the *Criminal Code* relating to impaired driving are:

- Section 320.14(1)- **Driving impaired by drugs or alcohol**

- The prohibited level of blood alcohol is 80 milligrams or more of alcohol in 100 millilitres of blood (0.08) within 2 hours of ceasing to operate a motor vehicle.
- The prohibited level of blood drug concentration for marijuana is 2 nanograms of THC per 100 millilitres of blood within 2 hours of ceasing to operate a motor vehicle. It is a less serious offence to have between 2 nanograms and 5 nanograms of THC per 100 millilitres of blood. It is a more serious offence to have 5 nanograms or more of THC per 100 millilitres of blood.
 - The prohibited level of blood drug concentration for LSD, ketamine, cocaine, and methamphetamine is any detectable level of these drugs.
- It is prohibited to have a combined blood alcohol and blood drug concentration of 50 mg of alcohol per 100 millilitres and 2.5 nanograms of THC per 100 millilitres of blood within 2 hours of ceasing to operate a motor vehicle
- There was **no offence under 320.14(1) if the drug or alcohol was consumed after you ceased to operate the motor vehicle** and there was no reasonable expectation that a sample of breath or blood would be needed.



- Section 320.14(2) - **Impaired driving causing bodily harm**

- Section 320.14(3) - **Impaired driving causing death**
- Section 320.15(1) – **Refusal to give a breath or blood sample** when there is a lawful demand for you to do so

These are serious criminal charges and therefore the penalties are severe. The penalties have mandatory minimum sentences, which range from heavy fines to jail terms and court ordered prohibitions from driving. A conviction under one of these offences will result in a criminal record.

Provincial: Traffic Safety Act

There are multiple different types of suspensions which can be applied under the *Traffic Safety Act* when a driver is impaired. These suspensions can take effect pre- and post-conviction. As of December 1, 2020, Alberta has a new regime that deals with impaired drivers: *The Provincial Administrative Penalties Act (PAPA)*.

Under the *PAPA*, when police have reasonable grounds to believe a driver has committed an impaired offence, they have the discretion to issue a variety of penalties, which include:

- An administrative penalty called the IRS (Immediate Roadside Suspension) FAIL
- Receive an immediate 15-month driver's licence suspension.
- Receive a 30-day vehicle seizure.
- Be issued a \$1000 fine.
- Be required to complete mandatory impaired driving education.

If a driver is a repeat offender, or there is bodily harm or injury caused by the impaired offence, the police have the discretion to escalate the penalties and criminal charge the driver.

After an administrative penalty, the driver can drive again after 3 months if they install an Ignition Interlock Device. If the driver chooses not to install the Interlock Device, they will remain fully suspended for the entire term.

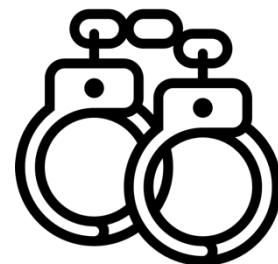
If a driver wishes to dispute their penalty, they can:

- Access the website and pay the fine, request time to pay, or request a review.
- Attend an oral review, scheduled within 21 days, or submit a request for written review.
- Receive a written decision within 30 days.

The driver must start the appeal process within 7 days of the penalty. If, following this, the driver is still unsatisfied, they may seek judicial review at the Alberta Court of Queen's Bench.

Suspensions Related to the Criminal Code

When a person is found guilty under the impaired driving charges in the *Criminal Code* (sections 320.14 or 320.15), under the *Traffic Safety Act* that person becomes disqualified from driving for 1 year. If the person has one prior conviction under sections 320.14 or 320.15 in the past 10 years their licence is disqualified for 3 years (and 5 years if the person has 2 prior convictions within the past 10 years) If the 2 prior convictions arose from the same incident, then the convictions are treated as 1 offence and disqualification is for 3 years.



Immediate Roadside Sanction: Fail

Under section 88.1 of the *Traffic Safety Act*, a police officer who has reasonable and probable grounds to believe that a driver is impaired may require the driver to surrender his/her driver's licence if:

- a. The driver's blood alcohol level is equal to or over 80 milligrams of alcohol in 100 millilitres of blood (usually determined by a breathalyser test);
- b. The driver's blood drug concentration is over 2 nanograms of THC per millilitre of blood (usually determined by a fluid sample);
- c. The driver has a blood alcohol level over 0.05% and a blood drug concentration over 2.5 nanograms of THC per millilitre of blood;
- d. The driver fails or refuses to comply with a breath or fluid demand.

If an officer believes the driver has committed an impaired driving offence, the driver will:

- Be issued a mandatory driver's licence suspension (IRS FAIL) that is in effect for 90 days, followed by a further period of one year (15 month suspension total).
- Receive a 30 day vehicle seizure
- Be issued a \$1,000 fine
- Be required to complete mandatory impaired driving education

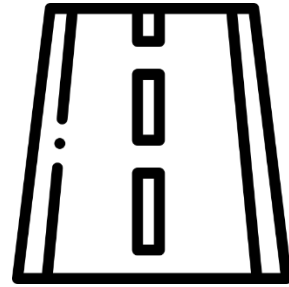


The one-year portion of the suspension can be served by only driving under the **Ignition Interlock Program**. No conviction is necessary, this suspension comes into effect immediately upon being charged and served with a Notice of Suspension. You are still suspended if you refuse to accept the Notice. Further contraventions of will result in

escalating periods of licence suspension and fines.

Immediate Roadside Sanction: Warn

The *Traffic Safety Act* also has sanctions for impaired driving which is under the limits needed for a criminal charge. The Immediate Roadside Sanction (IRS) program applies to drivers who have between a .05 and .079 blood alcohol level. Drivers in this range will not be criminally charged, but will be subject to the following sanctions:



- a. **1st offence within 10 years:** immediate 3-day suspension and 3-day vehicle seizure;
- b. **2nd offence within 10 years:** immediate 15-day suspension, 7-day vehicle seizure and completion of the “Crossroads” driving course;
- c. **3rd offence within 10 years:** immediate 30-day suspension, 7-day vehicle seizure and completion of the “IMPACT” driving course.

24-Hour Suspension

The 24-hour suspension program applies to all drivers suspected of being impaired by alcohol, drugs, physical or mental condition. This 24-hour immediate suspension gives officers an opportunity to investigate the situation. Drivers that receive a 24-hour suspension for medical reasons may have to have their file reviewed by Alberta Transportation’s Driver Fitness and Monitoring to determine whether they are still fit to drive.

Graduated Licence Drivers and Impaired Driving

There is a zero-tolerance policy for alcohol consumption for drivers under the Graduated Drivers Licence (GDL). Drivers licenced under the GDL are prohibited from operating a vehicle



with any amount of alcohol in their system. This includes drivers with a Class 7 Learner’s Licence and Class 5 GDL. Violation results in an automatic 30-day licence suspension and a 7-day vehicle seizure. If a driver under the GDL violates this condition twice, there will be another 30-day licence suspension and 7-day seizure and the driver will remain in the GDL program until after one year of suspension free driving.

Getting Your Licence Back After an Impaired Driving Suspension

Even though the suspension period may be finished, a person cannot get their licence back until they have completed all the conditions listed on the notice of



suspension. This applies to people who leave the province. The conditions on the notice of suspension must be read very carefully. Some of the basic conditions that must be met are:

- a. Completion of an impaired driving course;
- b. Completion of “Planning Ahead”, a one-day educational course (for first offenders), or completion of “IMPACT”, a weekend pre-treatment course (for repeat offenders); and
- c. Completion of a driver’s examination and payment of the licence reinstatement fee.

A person must give a registry agent proof of completion of the conditions outlined. After doing this, you will get a written notice that your driving privileges have been reinstated. The person can then apply for a new licence.



Ignition Interlock Program

What is the Ignition Interlock Program?

The Ignition Interlock Program allows individuals with a suspended licence due to impaired driving to regain conditional, and eventually full driving privileges upon completion of the program. Certain restrictions apply and specific eligibility criteria exist. The Alberta Transportation Safety Board administers the program.



An interlock device is an alcohol-sensing device that is attached to the ignition of a vehicle. The driver must blow into the device before starting the vehicle and will be prevented from starting and/or driving the vehicle if the device detects a pre-set level of alcohol on the driver’s breath.

All program activity is recorded and monitored by the Alberta Transportation Safety Board, including any “fails” (above 0.040 blood alcohol level) or “warns” (above 0.020 blood alcohol level). A driver registering fails or warnings, or inappropriate use of handling of the Ignition Interlock device may be requested to appear before the Board to review their participation in the program.

Any Interlock participant who attempts to tamper, cheat, or bypass the ignition interlock device may be removed from the program, have their restricted Drivers licence revoked, or receive a Notice to Attend an Inquiry with the Registrar.

When is it mandatory?



The program is mandatory for all drivers convicted of impaired driving under the *Criminal Code of Canada* who wish to regain their driving privileges. The program is mandatory for 1 to 5 years, depending on whether the person is a repeat offender or not.

There is an optional Interlock Program under the AALS program describe above. The AALS program is optional, and the individual could instead choose to remain fully suspended during this time.

Eligibility for the Ignition Interlock Programs

- To be eligible for either Interlock Program the driver must be a resident of Alberta and eligible for a Restricted Operator's Licence;
- If the driver is a first-time offender, they must attend the "Planning Ahead" Driver Program before being approved for the Program;
- If the driver is a repeat offender, they must attend the "IMPACT" Driver Program before being approved for the Program;
- The driver must also have served all non-alcohol related suspensions;
- The Mandatory Ignition Interlock Program is required for licence reinstatement following a conviction for a section 320.14 or 320.15 offence. **Persons convicted of impaired driving causing bodily harm or death are not eligible for the ignition interlock program.**
- The driver is eligible for the Mandatory Ignition Interlock Program once they have served the court-ordered driving prohibition period: there is no mandatory driving prohibition for a first offence, the period will be at least 3 months for a second offence, and at least 6 months for any subsequent offence.
- The driver must participate in the Mandatory Ignition Interlock Program for a minimum of twelve (12) months and up to a maximum of five (5) years;
- The AALS Ignition Interlock Program is optional following the mandatory 90-day AALS driving suspension;
- The driver must participate in the AALS Ignition Interlock Program for 12 months;

Can I get an exemption from doing the Mandatory Ignition Interlock Program?

It is very difficult to get an exemption from the program.

You may be granted an exemption if it is not feasible to comply with the program. A valid reason would be that it is not medically possible for you to complete the ignition interlock program and a doctor verifies that this is the case. Financial or occupational hardship are expressly excluded as possible grounds for an exemption.

To apply for an exemption, you must send an exemption letter that includes your driver's licence number or Motor Vehicle Identification Number (MVID), full name, address, telephone number, date of birth, and reason(s) why it is not feasible to comply with the requirement for an ignition interlock device. Exemptions will only be granted when you have completed all other reinstatement conditions other than the Ignition Interlock Program and road test.

The cost of the Ignition Interlock Program is:

Installation fee	\$145 (plus GST)
Monthly Rental Fee	\$95 (plus GST)
Application Fee	\$63 (in addition to the Registry Agent fee)
Removal Fee	\$50 (plus GST)
"Planning Ahead" Driver Program (for first time offenders)	\$315
"IMPACT" Driver Program (for repeat offenders)	\$925

Note: There are also fees for restricted operator's licence and road test when applicable. All costs are subject to change.

For more information on impaired driving please see our Impaired Driving Pamphlet.

Suspensions for Violating other Criminal Code Sections

There are other driving related offences in the Criminal Code which can lead to licence suspensions. Some examples of Criminal Code sections relating to driving are:

- Section 320.16 Failure to stop after an accident
- Section 320.17 Flight from a peace officer
- Section 320.18 Operating a motor vehicle while prohibited from doing so



If a person is convicted of certain other *Criminal Code* sections, there may be punishments very similar to those just described in the impaired driving section. There will be a federal prohibition and also some form of provincial suspension. The provincial suspensions can be very severe. For example, if a person is convicted of operating a motor vehicle and causing bodily harm or death there is an automatic 5-year licence suspension. In addition, they will probably face some form of fine or jail time, depending on how serious the offence was. The rules in this area are not set in stone and both the Court and the Alberta Transportation Safety Board have the power to give out very long suspension periods if they feel it is necessary.

Suspensions Due to Demerit Points

When a person is found guilty of committing certain driving offences demerit points are recorded against their licence. The following are some offences which can result in the listed number of demerit points:

Failure to remain at the scene of an accident.....	7 points
Speeding more than 50 km/h over the limit.....	6 points
Careless driving.....	6 points
Racing.....	6 points
Failing to stop for school bus.....	6 points
Failing to stop at a railway crossing, or vehicle carrying dangerous load.....	5 points
Failing to stop for a peace officer.....	5 points
Following too closely.....	4 points
Speeding more than 30 km/h but less than 50 km/h over the limit	4 points
Speeding at an unreasonable rate.....	4 points
Failure to yield right of way to a pedestrian at a crosswalk	4 points
Failing to report an accident.....	3 points
Improper passing in school zone.....	3 points
Driving on wrong side of road.....	3 points
Driving the Wrong way on a one-way road.....	3 points
Blocking passing vehicle.....	3 points
Failure to stop for sign or red light.....	3 points
Stunting.....	3 points
Speeding more than 15 km/h but less than 30 km/h over the limit.....	3 points
Distracted Driving (using cell phone/electronic device, writing/reading/grooming).....	3 points
Failure to obey traffic control device.....	2 points
Traffic lane violation.....	2 points
Improper turns.....	2 points
Improper backing.....	2 points
Speeding up to 15 km/h over the limit.....	2 points

Demerit Point System for Fully Licenced Drivers

When a person gets 8 or more but less than 15 points, they are mailed a letter informing them of the number of demerit points. When an accumulation of 15 or more points occurs within a 2-year period, your licence is automatically suspended for 1 month. If you reach 15 points twice in one year, your licence is suspended for 3 months. When the



suspension is the 3rd or more demerit suspension within a two-year period, your licence is suspended for six months. In addition, you may be required to appear before the Alberta Transportation Safety Board.

There is no remedy or appeal against a demerit point suspension, unless it can be proven the demerit points were assigned in error. You may request to review your driving record on these grounds by making a written submission to the Driver Fitness and Monitoring Branch.

When the suspension period is over the person's licence is given back with 7 demerit points. These points remain on your record until a period of 2 years from the date the demerits are imposed. After 2 years have passed, the number of points assessed for that conviction are removed from your record. The 2 years is calculated from the date you actually pay the fine or are found guilty; not the date that you receive the fine.

Demerit Point System for Graduated Driver Licensing

The demerit point system applies to the Graduated Driver Licensing (GDL) program. In addition to the demerits above for all drivers, the following also apply but only to GDL drivers.

Curfew, no driving from midnight until 5 am (Class 7 Learners Only)

.....2 points

Having more passengers than seat belts

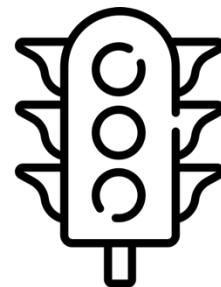
.....2 points

Supervisor	not	fully
qualified.....		2

points

When a person gets 4 or more but less than 8 points, they are mailed a letter informing them of the number of demerit points. When an accumulation of 8 or more points occurs within a 2-year period, your licence is automatically suspended for 1 month. If you reach 8 points twice in one year, your licence is suspended for 3 months, and you will be directed to appear before the Alberta Transportation Safety Board. When the suspension is the third or more demerit suspension within 2 years, your licence is suspended for 6 months and you will also be required to appear before the Alberta Transportation Safety Board for hearing.

When the suspension period is over the person's licence is given back with 3 demerit points. These points remain on your record until a period of 2 years from the date when the demerits were imposed. After 2 years has passed from



your date of conviction, the number of points assessed for that conviction are removed from your record. The 2 years is calculated from the date you actually pay the fine or are found guilty instead; not the date that you receive the fine.

Merit Credit



Before your licence is suspended you can participate in a Defensive Driving Course or a Professional Driver Improvement Course to reduce your demerit points. The course must be completed before you reach the number of demerit points needed for suspension or prior to the conviction date of the driving offence which caused your demerit suspension. You can schedule these courses through a licensed driver training school. After completing a course, you can submit the Notice of Driver Education Course Completion form to an Alberta registry agent to have it applied to your driving record.

For fully licensed drivers if a course is completed before accumulating 15 demerit points a maximum of 3 demerit points can be removed from your driving record once every 2 years.

For GDL drivers if you have completed a course before accumulating 8 or more demerit points a maximum of 3 demerit points may be removed from your driving record once every two years.

Getting Your Licence Back After a Demerit Suspension

Like the suspensions issued for impaired charges, before a licence can be given back, the conditions of suspension outlined on the suspension order must be completed. There is a fee that has to be paid before the licence is given back (\$50 for non-*Criminal Code* offences).

Other Reasons for Suspension

Suspension may be ordered for a poor driving record (too many demerits), medical reasons, failure to pay a motor vehicle judgement, failure to pay a fine, failure to insure a motor vehicle, and 24-hour suspension related to Impaired Driving.

The Board has the right to suspend the operator's licence for any length of time and may also require an education program or other conditions to be completed for an individual to hold an operator's licence.

Before suspending or restricting a licence, the person is given at least 15 days' notice in writing and an opportunity to be heard in person, with or without legal counsel. In making its decision, the Board considers a number of things including the person's driving record, driving attitude, driving skills, knowledge and any other important facts.

Here are some examples of other ways your licence can be suspended:

Uninsured Vehicle

Under section 54(1) of the *Traffic Safety Act*, it is an offence to drive an uninsured vehicle. A person driving an uninsured vehicle may be charged even if the vehicle is not theirs. A person borrowing someone else's vehicle must always check to make sure the vehicle has a valid pink slip. A person may be found guilty, unless they have checked to make sure it is insured. Also, the registered owner of the uninsured vehicle may be charged for allowing the vehicle to be driven.



If the judge finds a person guilty there is a fine of not less than \$2500 and not more than \$10,000. If they do not pay this in the time allowed, there is a term of imprisonment between 45 days and 6 months. For each subsequent offence of driving without valid insurance within a five-year period there is a fine of not less than \$5000 and not more than \$20,000, with a sentence of 60 days to 6 months in jail if the fine is not paid. A driver's licence suspension can also be ordered. The court will also impose a mandatory victim fine surcharge.

Failure to Make Payments



A person's licence may also be suspended for failing to pay court ordered payments, such as child maintenance. If a motor vehicle restriction is in place because of a person's child maintenance debt, they should contact the Maintenance Enforcement Program (MEP) to set up payment arrangements. The restriction will not be removed until the MEP has reviewed the person's statement of finances and a payment arrangement is set up and followed.

APPEALING A DECISION

Appealing a suspension of your licence varies depending on the reason for suspension.

Immediate Roadside Appeal

When your licence is suspended on the roadside for impaired driving, you have the right to request an immediate second breath test on a different instrument to confirm your blood alcohol or blood drug concentration. The second test may not occur at the roadside.

Driving Suspension Appeal

All appeals for a drivers licence suspension go through the Alberta Transportation Safety Board. You can only submit appeals for driving suspensions that are 7 days or longer and the appeals must be submitted within 30 days of the suspension being issued. Applying for a hearing does not affect your suspension/disqualification. This remains in effect while the appeal process is taking place.

Appeals Administrative Licence Suspensions



To appeal an Alberta Administrative Licence Suspension (AALS) you must purchase an Application for Hearing at any Alberta Registry Agent office. There is a fee for any appeal hearing (\$125 for non-oral which requires a written submission or \$250 for an oral submission, which requires a personal appearance before the Board). In addition to the application fee, a Registry Agent fee will be charged. The application fee will be refunded only if the appeal is successful. However, the Registry Agent fee is not refundable, regardless of the Board's decision.

Court decisions on related *Criminal Code* charges do not affect the AALS. This is provincial legislation and the suspension/disqualification remains in effect until the Board rules on the appeal or the suspension/disqualification expires.

The Board will verbally notify the appellant of the decision of the hearing and send a written decision at a later date.

When can you appeal an administrative licence suspension?

- The person did not drive having consumed alcohol, drugs, or combination in a quantity to impair operation of the vehicle at any time within three hours of driving; or
- That within two hours of ceasing to operate a motor vehicle the person did not have a blood drug or blood alcohol concentration equal to or exceeding the limits set out under the Criminal Code; or
- The person consumed alcohol or drugs after ceasing to operate the vehicle and had no reasonable expectation that they would be required to provide a breath or blood sample
- The person did not fail or refuse to comply with a breath demand; or if they did, they

had a reasonable excuse.

Appealing a Criminal Code Offence Conviction

If you have been convicted with a summary offence, a Notice of Appeal needs to be filed with the Court of Queen's Bench of Alberta clerks within 30 days from the date of conviction, judgment, order or sentence. If you have been convicted with an indictable offence, a Notice of Appeal needs to be filed with the Court of Appeal within 30 days from the date of sentence.

If a person is appealing a court-imposed suspension it is best to seek the assistance of a lawyer.



CONCLUSION

There are a number of reasons why a driver may have their licence suspended. If you suspect that your licence may be suspended, be safe and contact your local motor vehicles registry branch. If you are caught driving while suspended, the penalties are very harsh. It is important to always update any address changes with your local registry agent so you will receive any notice of suspension. It is not an excuse to say you were not advised about the suspension if you did not report an address change. If you have been suspended or disqualified, do not drive until you are sure that all of the suspension conditions have been met and that your licence is valid.

WHO CAN I CALL FOR MORE HELP OR INFORMATION?



You can find the contact for your local authorized Registry Agent online. They will be able to provide you with some information regarding licence suspensions or can give you the appropriate number to call.

Legal Resources

Alberta Solicitor General	Contact: Ph: 780-427-7013 Website: http://www.solgps.alberta.ca
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Direct questions about the Motor Vehicle Registrar or Driver Control Board here.

Legal Aid Society of Alberta 10320 102 Ave NW, Edmonton, AB	Contact: Ph: 1-866-845-3425 Website: www.legalaid.ab.ca
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Free legal information lawyers who may represent you for a reduced rate.

Lawyer Referral Service	Contact: Ph: 1-800-661-1095
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Referrals to up to 3 lawyers that may be able to help you.

Student Legal Services of Edmonton #100, 9924 106 St NW, Edmonton, AB 11036 88 Ave NW, Edmonton, AB	Contact: Ph: 780-492-2226 Website: www.slsedmonton.com
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Law students able to provide free legal information and assistance with certain applications in the Alberta Court of Justice.

<p>Elizabeth Fry Society</p> <p>10523 100 Ave, Edmonton, AB</p>	<p>Contact:</p> <p>Ph: 780-422-4775</p> <p>Website: www.efryedmonton.ab.ca</p>
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Court workers explain court procedure and terminology, provide legal referrals, and offer practical assistance and support to those appearing in court.

Other Agencies

<p>AMA Impaired Driver's Program Registration</p>	<p>Contact:</p> <p>Ph: 780-430-8811</p> <p>Toll-free: 1-800-272-5698</p> <p>Website: https://ama.ab.ca/auto-and-driving/ama-driver-education/alberta-impaired-drivers-program/</p>
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Registration for required educational courses and support for individuals who have been convicted of impaired driving.

<p>Maintenance Enforcement Program Info Line</p>	<p>Contact:</p> <p>Ph: 780-422-5555</p> <p>Website: https://justice.alberta.ca/programs_services/mep/Pages/default.aspx</p>
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Call for more information if your licence has been suspended by MEP.