

Chapter 7:

Highway Safety Programs



Safety is the main aim of the Highway Safety Operations office. 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 alert; 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.

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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 eleven demerit points may, upon successful completion of the course and exam are 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 accidents.

The Canada Safety Council's Defensive Driving Course (D.D.C.) is made available in Prince Edward Island through the St. John Ambulance (P.E.I. 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 License. Participation in the course is not required of drivers whose licenses 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 Operations office at 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 License for more than 2 years and is not a newly licensed driver under the Graduated Driver's License System.

The violations are as follows:

- loss of 4, 5 or 6 points – a warning letter;
- loss of 9, 10 or 11 points – an interview;
- loss of 12 or more points – a 3-month suspension.

The violator loses his or her Driver's License 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 license by misrepresentation
6	Driving while registration or license under suspension or while disqualified
6	Speeding - 30 or more kilometers per hour over the legal speed limit
5	Racing
5	Driving imprudently or without due care and attention or if disabled
5	Failing to stop for a school bus receiving or discharging school children
3	Any infraction of a bylaw involving the use of vehicle in motion
3	Failing to report an accident
3	Speeding - under 30 kilometers per hour over the legal speed limit
3	Improper passing
3	Any offence under the Highway Traffic Act 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 consistently a disregard of the Rules of the Road, thereby endangering their own and other's safety. When a driver accumulates a specified number of demerit points, his/her Driver's License will be suspended for at least three months.

GRADUATED DRIVER'S PROGRAM

NEWLY LICENSED DRIVERS

"Newly licensed drivers undergo a probationary period of two years, and passenger restrictions. During the first year of probation a newly licensed driver is warned at three, four or five demerit points, and suspended for one month at the six point level. During the second year of probation, 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."

GRADUATED LICENSING APPROACH

Recent changes to the Prince Edward Island Highway Traffic Act regarding a Graduated Drivers' Licensing System for the new drivers went into effect on December 20, 2000. Following are these important changes:

Waiting Period

All drivers who received their Instruction Permit must wait 180 days 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 License for at least four years.

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PASSENGER RESTRICTION

Effective December 20, 2000 all newly licensed drivers (one who has held a license less than 2 years) will be subject to the following passenger restrictions:

- during year 1, a newly licensed driver, regardless of age, will be restricted to 3 passengers. Any additional passengers must be the newly licensed driver's immediate family. All passengers in the vehicle must be the newly licensed driver's immediate family. All passengers in the vehicle shall be restricted to the number of seat belts;
- during year 2, 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 9 to 11 demerit points within 24 months, a driver must show cause why

his/her license should not be suspended. When such cause is not shown, the Driver's License can be suspended for up to three months. Upon the accumulation of 12 or more demerit points, the Driver's License 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 months 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 License for less than 2 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' LICENSES

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, is guilty of an offence and liable on summary conviction to a fine not exceeding \$500;
- (d) defaces or alters a photographic identification; or
- (e) has in one's possession a photographic identification that has been defaced or altered.

Driver's License Offences

Any person who:

- (a) defaces or alters a Driver's License or displays or causes or permits to be displayed or has in one's possession a Driver's License 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 License issued to the person so lending or permitting the use thereof;
- (c) displays or represents as one's own, any Driver's License 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 License that has been suspended or canceled; or
- (e) gives a false or fictitious name or gives a false address in any application for a Driver's License 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

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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 License suspended for a period of 3 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 months 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 .08) are Criminal Code offences. Conviction for any of these offences results in the following cancellations under the Highway Traffic Act:

First Offence	1-year cancellation
Second Offence	3-year cancellation
Subsequent Offences	5-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 license 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 months cancellation to be applied consecutively to the period of the existing suspension, cancellation or disqualification.

VEHICLE IMPOUNDMENT

A person who is prohibited from driving as a result of an impaired driving conviction and is apprehended again for drinking and driving or refusal of a blood/ alcohol test will immediately have the vehicle impounded. Impoundment will be for 30 days for a first offence and up to 60 days for a subsequent offence.

