

# Drinking and Driving Penalties



**DRINKING DRIVING  
COUNTERATTACK**

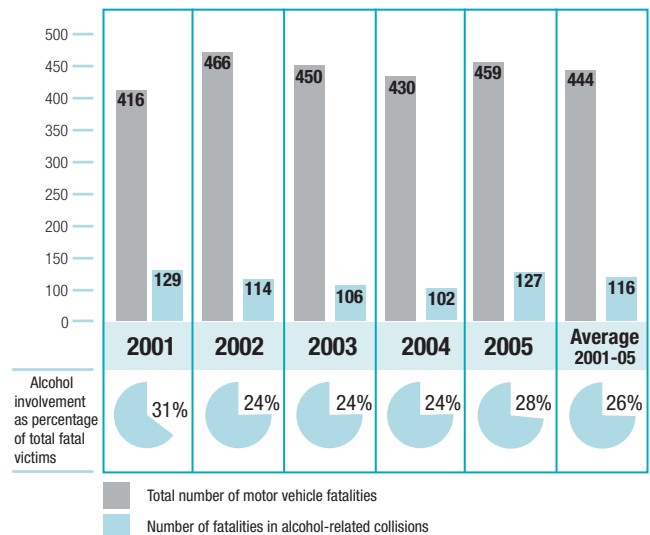
## Trends

### 2005 alcohol-related collisions in B.C.

Every time someone chooses to drive after drinking, there are potential consequences. It is important for drivers to know what these are.

- Alcohol was a contributing factor in over 28 per cent of all police-reported motor vehicle fatal collisions.
- 127 people were killed in alcohol-related collisions, up from 102 in 2004.
- Approximately 3,400 people were injured, up from 3,200 in 2004.\*

\*Police (TAS) Traffic Accident System Data.



2005 fatality count is not fixed. Fatality data continues to settle over time.

## Drinking and Driving: The consequences from start to finish

Now that you know the real risks of drinking and driving, there are other consequences to getting behind the wheel after drinking. If you are stopped by the police for drinking and driving, the following can occur:

- Police can prohibit you from driving for 24 hours and impound your vehicle for 24 hours if they believe your driving ability is affected by alcohol or other substances. You do not need to be over the legal limit.
- You may be asked to provide a breath sample into a roadside screening device. If you fail this test, you can expect to be taken to the police station to provide a sample in a breathalyzer.
- If you fail the breathalyzer, or refuse to provide a breath sample, you will be served with an Administrative Driving Prohibition notice and be prohibited from driving for 90 days. You can also expect to be charged with an offence under the *Criminal Code*.
- If you are convicted of a *Criminal Code* offence, you are prohibited from driving for at least a year. If you have previous convictions, your licence is suspended for three years for a second offence, or indefinitely for a third or subsequent offence.
- You will need to take a drinking driver rehabilitation program before you can get your driver's licence back. If you don't pass the program, your licence remains suspended indefinitely.

**consequences ... continued**

- You may need to have an ignition interlock device installed in your vehicle when you are eligible to get a driver’s licence.
- If you drive while prohibited or suspended, your car will be impounded for a minimum of 60 days and you are subject to a \$500 fine, jail time, and further driving prohibitions.

**Driving record review**

Even if you are not charged under the *Criminal Code*, a number of consequences can occur as a result of a 24-hour prohibition or Administrative Driving Prohibition:

- If you get two 24-hour prohibitions in two years you can lose your driver’s licence. The length of the prohibition will depend on your overall driving record.
- If you get three 24-hour prohibitions or two Administrative Driving Prohibitions within five years, you will be directed to take a drinking driver rehabilitation program. If you don’t go, or don’t successfully complete the program, you will lose your licence until you do.

**Criminal Code penalties for driving while impaired**

	DRIVING WHILE IMPAIRED OR BAC OVER .08 OR REFUSAL TO PROVIDE SAMPLE			IMPAIRED DRIVING CAUSING BODILY HARM	IMPAIRED DRIVING CAUSING DEATH
	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence		
<b>Prohibition from Driving</b>	1 – 3 Years	2 – 5 Years	3 Years – Lifetime	Up to 10 Years	Up to Lifetime
<b>Fine</b>	\$600 and up	No maximum	No maximum	No maximum	No maximum
<b>Jail</b>	0 – 5 Years	14 Days – 5 Years	3 Months to 5 Years	Up to 10 Years	Up to Life Imprisonment

If you plan on drinking, plan a safe ride home. Do not risk the personal and financial devastation that are potential consequences of drinking and driving.

*This publication reflects the laws in British Columbia as of December 2007. You should be aware that laws might change from time to time, so for a current statement of the law, you should refer to the applicable legislation. In the case of any conflict between this publication and the legislation, you should always follow the legislation.*

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