

EC2018-744

EXECUTIVE COUNCIL ACT
MINISTER OF WORKFORCE AND ADVANCED LEARNING
AUTHORITY TO ENTER INTO AN AMENDED AGREEMENT
(CANADA-PRINCE EDWARD ISLAND
LABOUR MARKET DEVELOPMENT AGREEMENT
– FORESTRY)
WITH
THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce and Advanced Learning to enter into an amended agreement with the Government of Canada, as represented by the Minister of Employment and Social Development, styled as the Minister of Families, Children and Social Development, and the Canada Employment Insurance Commission, to accept additional financial resources to support workers directly or indirectly impacted by the softwood lumber trade dispute, for FY2018-2019, such as more particularly described in the draft agreement.

EC2018-745

EXECUTIVE COUNCIL ACT
MINISTER OF WORKFORCE AND ADVANCED LEARNING
AUTHORITY TO ENTER INTO AN AMENDED AGREEMENT
(CANADA-PRINCE EDWARD ISLAND
LABOUR MARKET DEVELOPMENT AGREEMENT
– SEASONAL WORKERS)
WITH
THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce and Advanced Learning to enter into an amended agreement with the Government of Canada, as represented by the Minister of Employment and Social Development, styled as the Minister of Families, Children and Social Development, and the Canada Employment Insurance Commission, to accept additional financial resources to support seasonal workers, for FY2018-2019, such as more particularly described in the draft agreement.

EC2018-746

EXECUTIVE COUNCIL ACT
 MINISTER OF WORKFORCE AND ADVANCED LEARNING
 AUTHORITY TO ENTER INTO AN AMENDED AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND
 LABOUR MARKET DEVELOPMENT AGREEMENT
 – STEEL AND ALUMINUM INDUSTRIES)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce and Advanced Learning to enter into an amended agreement with the Government of Canada, as represented by the Minister of Employment and Social Development, styled as the Minister of Families, Children and Social Development, and the Canada Employment Insurance Commission, to accept additional financial resources to support workers directly or indirectly impacted by the steel-aluminum trade dispute, for FY2018-2019, such as more particularly described in the draft agreement.

EC2018-747

FINANCIAL ADMINISTRATION ACT
 AUTHORIZATION FOR
 TEMPORARY BORROWING

Pursuant to section 46 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the Minister of Finance to borrow a maximum of twenty million dollars (\$20,000,000.00) from the Royal Bank of Canada, Charlottetown, by way of an overdraft on the government general account for the period 31 December 2018 through 31 December 2019.

EC2018-748

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND DISCLOSE
 CERTAIN DEBT
 PEI GRAIN ELEVATORS CORPORATION

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized cancellation of debt from four (4) accounts owing to the PEI Grain Elevators Corporation in the total amount of \$892.30, as at July 31, 2018.

Further, pursuant to subsection 26.2(4) of the said *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized cancellations:

SCHEDULE
 (CANCELLATIONS)

Borrower	Address	Total Debt, Including Interest
Debtors under \$25,000 (4)	Various	\$892.30
Total		\$892.30

EC2018-749

**FINANCIAL ADMINISTRATION ACT
AUTHORITY TO WRITE-OFF AND DISCLOSE
CERTAIN ACCOUNTS RECEIVABLE
PEI GRAIN ELEVATORS CORPORATION**

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of two (2) accounts receivable of the PEI Grain Elevators Corporation totalling \$13,345.48 as at July 31, 2018.

Further, pursuant to subsection 26.2(4) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized accounts receivable write-offs:

**SCHEDULE
(WRITE-OFFS)**

Debtor	Address	Amount of Debt
Debtors under \$25,000 (2)	Various	\$13,345.48

EC2018-750

**HIGHWAY TRAFFIC ACT
ADMINISTRATIVE DRIVING PROHIBITION AND VEHICLE
IMPOUNDMENT REGULATIONS
AMENDMENT**

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

- 1. Schedule 1 “Notice of Impoundment” to the *Highway Traffic Act* Administrative Driving Prohibition and Vehicle Impoundment Regulations (EC161/00) is revoked and Schedule 1 as set out in the Schedule I to these regulations is substituted.**
- 2. Forms 1, 2 and 3 of Schedule 4 to the regulations are revoked and Forms 1, 2 and 3 of Schedule 4 as set out in Schedule II to these regulations are substituted.**
- 3. Schedule 5 “Statutory Declaration” to the regulations is amended by the deletion of the words “THE DRIVING PROHIBITION” and the substitution of the words “A DRIVING SUSPENSION (30 or 90 DAYS) OR DRIVING PROHIBITION”.**
- 4. Schedule 6 “Certificate of Service” to the regulations is revoked and Schedule 6 as set out in Schedule III to these regulations is substituted.**
- 5. Schedule 8 “Report of Driving Prohibition” to the regulations is revoked and Schedule 8 as set out in the Schedule IV to these regulations is substituted.**
- 6. These regulations come into force on December 18, 2018.**

SCHEDULE I

**SCHEDULE 1
NOTICE OF IMPOUNDMENT**

(s. 255.3 of the *Highway Traffic Act*)

NAME
 (Last) (First) (Other)

ADDRESS
 (Number & Street) (Municipality) (Province) (Telephone)

DRIVER INFO
 (License No.) (Prov.) (D.O.B.) (Sex)

VEHICLE INFO
 (Plate No.) (Year) (Make) (V.I.N.) (Province)

OWNER INFO
 (Name) (Address)

LOCATION DATE TIME
 dd mm yy

This is official notification that the above-noted motor vehicle is being impounded under the authority specified below for the period of time specified below from the following date

(Date of Impoundment)

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsections 255.2(1) and (2) of the Act:
 - 30 days; or
 - 60 days, where the registered owner of the motor vehicle was the owner of a motor vehicle that was impounded within two years before the date of impoundment.

REASON:

The undersigned peace officer is satisfied that, on or about, you operated a motor vehicle or had care or control of a motor vehicle while you were prohibited from doing so, by reason of the suspension or cancellation of your driver's license, and that you have been convicted, in the past two years, of an offence under subsection 271(1) of the *Highway Traffic Act*, subsection 259(4) of the *Criminal Code* (Canada), as that provision read before December 18, 2018, or subsection 320.18(1) of the *Criminal Code*.

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.01) of the *Highway Traffic Act* for 30 days in accordance with subsection 255.2(2.01) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about, by means of or in relation to your operation of the motor vehicle, you committed an offence under one of the following provisions of the *Criminal Code* (Canada): paragraph 320.14(1)(a), (b), (c) or (d), or subsection 320.14(4) or 320.15(1).

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.1) of the *Highway Traffic Act* for 6 months in accordance with subsection 255.2(2.1) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about,

- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in clause 255.1(1.1)(a) of the *Highway Traffic Act*: 220, 221, 236, 320.13(2) or (3), 320.14(2) or (3), 320.15(2) or (3); or
- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in subclause 255.1(1.1)(b)(i) of the *Highway Traffic Act*: 320.13(1), 320.14(1)(a), (b), (c) or (d), 320.14(4), 320.15(1), 320.16, 320.17, 320.18(1), and within 10 years before the commission of the offence you were also convicted of one of the offences listed in clause 255.1(1.1)(a), as it read before December 18, 2018 and as it reads now, or two or more of the offences listed in clause 255.1(1.1)(b), as it read before December 18, 2018, and subclause 255.1(1.1)(b)(i).

- The above-noted vehicle is being impounded pursuant to subsection 277.11(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsection 277.11(2) of the Act:

- 3 days, where a driving suspension has been imposed under subsection 277.1(3.2) of the Act for 7 days;
- 7 days, where a driving suspension has been imposed under subsection 277.1(3.3) of the Act for 30 days; or
- 30 days, where a driving suspension has been imposed under subsection 277.1(3.5) of the Act for 90 days.

REASON:

The undersigned peace officer is satisfied that, on or about _____, you were served with a notice of driving suspension under section 277.1 of the *Highway Traffic Act*.

- The above-noted vehicle is being impounded pursuant to subsection 277.93(4) of the *Highway Traffic Act* for 30 days in accordance with subsection 277.93(5) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about _____, you, a person who is a graduated driver or under the age of 19 years or 22 years, as applicable, were served with a notice of driving suspension under section 277.9 or 277.92 of the *Highway Traffic Act*.

Vehicle stored at: _____

PEACE OFFICER'S NAME (PRINT) _____

PEACE OFFICER'S SIGNATURE _____

PIN/BADGE NUMBER _____ POLICE AGENCY _____

REVIEW INSTRUCTIONS:

The owner of a motor vehicle has the right to have the impoundment reviewed by the Registrar under section 255.5 of the *Highway Traffic Act*. You may, within 30 days of becoming aware of the impoundment, apply to the Registrar for a review of the impoundment by filing an application for review with the Registrar of Motor Vehicles at Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moysse Drive, Summerside, and paying to the Registrar the prescribed fee(s). An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 255.5 of the *Highway Traffic Act* does not stay the impoundment of the motor vehicle. Subject to the result of a review under section 255.5 of the *Highway Traffic Act*, the motor vehicle will be impounded for the period authorized by section 255.2, 277.11 or 277.93 of the *Highway Traffic Act*, as the case may be.

The owner of the motor vehicle shall be responsible to pay all costs and charges in relation to the impoundment and storage of the motor vehicle permitted by subsection 255.4(2) of the *Highway Traffic Act*, which costs and charges shall constitute a lien on the motor vehicle. Failure to pay such costs and charges may result in the disposal of the motor vehicle under the *Garage Keepers' Lien Act* or subsection 255.4(6) of the *Highway Traffic Act*.

SCHEDULE II

SCHEDULE 4

FORM 1

NOTICE OF DRIVING SUSPENSION (FOR 7, 30 OR 90 DAYS)

(Section 277.1 of the *Highway Traffic Act*)

DRIVER INFORMATION:

NAME
 (Last) (First) (Other)

ADDRESS
 (Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO. PROV.

DRIVER'S DATE OF BIRTH SEX
 day month year

NSC NO.

VEHICLE INFO
 (Plate No.) (Year) (Make) (Province)

LOCATION DATE TIME
 day month year

NOTICE

This is official notification that your driver's license is suspended and invalid for any purpose for the periods set out below:

7 days from the date and time written above under the authority of subsection 277.1(3.2) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

- provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or
- performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c).

30 days from the expiry of the temporary driver's license below under the authority of subsection 277.1(3.3) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

- provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or
- performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c),

and the peace officer has reasonable grounds to believe that this is the second time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

90 days from the expiry of the temporary driver's license below under the authority of subsection 277.1(3.5) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

- provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or

performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c),

and the peace officer has reasonable grounds to believe that this is the third or subsequent time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

DRIVING PROHIBITION:

You are prohibited from operating a motor vehicle during the period of your suspension, as indicated above.

SURRENDER OF DRIVER'S LICENSE:

License surrendered Yes No

License May Be Claimed At

RETURN OF DRIVER'S LICENSE:

Date and Time of Return Personal Mail

Returned by Receipt of License

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

REVIEW INSTRUCTIONS:

Where your driver's license has been suspended for 30 or 90 days, you have the right to have the suspension reviewed by the Registrar under section 277.5 of the *Highway Traffic Act*. You may, within 7 days of being served with this notice of driving suspension, apply to the Registrar for a review of the driving suspension by filing an application for review with the Registrar of Motor Vehicles at the Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyle Drive, Summerside, and paying to the Registrar the prescribed fee(s). If your license or permit to operate a motor vehicle issued under the *Highway Traffic Act* was not taken by the peace officer or sent to the Registrar under section 277.2 of the *Highway Traffic Act*, you must surrender it to the Registrar, unless you complete and file with the Registrar a statutory declaration in the prescribed form stating that the license or permit has been lost, stolen or destroyed. An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 277.5 of the *Highway Traffic Act* does not stay the driving suspension. If you do not apply for a review of the driving suspension within 7 days, or if the review is unsuccessful, you will be prohibited from operating a motor vehicle for a period of 30 or 90 days, as the case may be.

FORM 2

NOTICE OF 24-HOUR DRIVING SUSPENSION

(Sections 277.2, 277.9 and 277.92 of the *Highway Traffic Act*)

A. DRIVER INFORMATION:

NAME
 (Last) (First) (Other)

ADDRESS
 (Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO. PROV.

DRIVER'S DATE OF BIRTH SEX
 day month year

NSC NO.

VEHICLE INFO
(Plate No.) (Year) (Make) (Province)

LOCATION DATE TIME
day month year

B.1 NOTICE OF 24-HOUR DRIVING SUSPENSION (FOR DRIVER OTHER THAN A GRADUATED DRIVER OR A DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that your driver’s license is suspended and invalid for any purpose for a period of **24 hours** from the date and time written above under the authority of subsection 277.2(1.1) of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that

on
day month year

you operated a motor vehicle or had care or control of a motor vehicle and

you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood equalled or exceeded 80 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a blood drug concentration that equalled or exceeded any blood drug concentration for the drug prescribed under the *Criminal Code* (clause 277.2(1)(c) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath, blood or other bodily substance(s), a blood alcohol concentration and a blood drug concentration that equalled or exceeded the concentrations prescribed under the *Criminal Code* for that alcohol-drug combination (clause 277.2(1)(c.1) of the *Highway Traffic Act*); or

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* (clause 277.2(1)(c.2) of the *Highway Traffic Act*);

you provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver’s license under clause 277.1(1)(a), and the peace officer has reasonable grounds to believe that this is the second, third or subsequent time that a peace officer has requested the surrender of your driver’s license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years;

you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver’s license under clause 277.1(1)(c), and the peace officer has reasonable grounds to believe that this is the second, third or subsequent time that a peace officer has requested the surrender of your driver’s license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

B.2 NOTICE OF 24-HOUR DRIVING SUSPENSION (FOR A GRADUATED DRIVER OR A DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that your driver’s license is suspended and invalid for any purpose for a period of **24 hours** from the date and time written above under the authority of subsection 277.9(4) or 277.92(1) or section 277.2 of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that

on
day month year

you operated a motor vehicle or had care or control of a motor vehicle and

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded 0 milligrams of alcohol in 100 millilitres of blood (s. 277.9(2) or (3) and 277.9(4) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a drug in such a quantity in your body that the analysis indicated its presence (clause 277.91(1)(c) and s. 277.92(1) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (s. 277.91(9) and clause 277.2(1)(a) of the *Highway Traffic Act*);

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* or section 277.8 or 277.91 of the *Highway Traffic Act* (clause 277.1(1)(d), 277.2(1)(c.2); s. 277.9(4) or 277.91 (4) and 277.92(1) of the *Highway Traffic Act*); or

you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c) of the *Highway Traffic Act* (ss. 277.1(3) of the *Highway Traffic Act*).

C. DRIVING PROHIBITION:

You are prohibited from operating a motor vehicle during the period of your suspension, as indicated above.

D. SURRENDER OF DRIVER'S LICENSE:

License surrendered: _____ Yes _____ No

License May Be Claimed At

E. RETURN OF DRIVER'S LICENSE:

Date and Time of Return Personal Mail

Returned by Receipt of License

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

**FORM 3
NOTICE OF DRIVING PROHIBITION**

(Section 277.2 (and subsection 277.1(3), 277.9(15) or 277.92(5), if applicable) of the *Highway Traffic Act*)

A. DRIVER INFORMATION:

NAME
(Last) (First) (Other)

ADDRESS
(Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO. PROV.

DRIVER'S DATE OF BIRTH SEX
day month year

VEHICLE INFO
(Plate No.) (Year) (Make) (Province)

LOCATION DATE TIME
day month year

B.1 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR DRIVER OTHER THAN A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days fromunder the authority of section 277.2 of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you operated a motor vehicle or had care or control of a motor vehicle and

you did so while your ability to operate the motor vehicle was impaired by alcohol, a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood equalled or exceeded 80 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a blood drug concentration that equalled or exceeded any blood drug concentration for the drug prescribed under the *Criminal Code* (clause 277.2(1)(c) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath, blood or other bodily substance(s), a blood alcohol concentration and a blood drug concentration that equalled or exceeded the concentrations prescribed under the *Criminal Code* for the alcohol-drug combination (clause 277.2(1)(c.1) of the *Highway Traffic Act*); or

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* (clause 277.2(1)(c.2) of the *Highway Traffic Act*).

..... Breath/blood alcohol content

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

B.2 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days fromunder the authority of section 277.2 and subsection 277.9(15) or 277.92(5) of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you, being a graduated driver or under the age of 19 years or 22 years, as applicable, operated a motor vehicle or had care or control of a motor vehicle and

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded 0 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) and s. 277.9(15) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a drug in such a quantity in your body that the analysis indicated its presence (clause 277.2(1)(c) and s. 277.92(5) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the *Highway Traffic Act*);

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* or section 277.9 or 277.91 of the *Highway Traffic Act* (clause 277.1(1)(d), 277.2(1)(c.2), s. 277.9(15) or s. 277.92(5) of the *Highway Traffic Act*); or

you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c) of the *Highway Traffic Act*.

..... Breath/blood alcohol content

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under section 277.2 or subsection 277.9(4) or 277.92(1) of the *Highway Traffic Act*.

C. SURRENDER OF DRIVER'S LICENSE:

License surrendered: ____ Yes ____ No

License May Be Claimed At

D. RETURN OF DRIVER'S LICENSE:

Date and Time of ReturnPersonalMail

Returned by Receipt of License

D.1 NOTICE - CHILD PRESENT (subsection 264.1(2) Highway Traffic Act:

indicate presence of child/children under the age of 16 when offence was committed.

Name of Child	Date of Birth
Name of Child	Date of Birth
Name of Child	Date of Birth

E. PEACE OFFICER:

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

F. REVIEW INSTRUCTIONS:

You have the right to have the driving prohibition reviewed by the Registrar under section 277.5 of the *Highway Traffic Act*. You may, within 7 days of being served with this notice of driving prohibition, apply to the Registrar for a review of the driving prohibition by filing an application for review with the Registrar of Motor Vehicles at the Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyse Drive, Summerside, and paying to the Registrar the prescribed fee(s). If your license or permit to operate a motor vehicle issued under the *Highway Traffic Act* was not taken by the peace officer or sent to the Registrar under section 277.2 of the *Highway Traffic Act*, you must surrender it to the Registrar, unless you complete and file with the Registrar a statutory declaration in the prescribed form stating that the license or permit has been lost, stolen or destroyed. An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 277.5 of the *Highway Traffic Act* does not stay the driving prohibition. If you do not apply for a review of the driving prohibition within 7 days, or if the review is unsuccessful, you will be prohibited from operating a motor vehicle for a period of 90 days.

SCHEDULE III

SCHEDULE 6

CERTIFICATE OF SERVICE

(s. 277.4(c) of the *Highway Traffic Act*)

I,....., a peace officer, certify that on
 (print) dd mm yy

I personally served
 (name of driver)

with one of the following, a copy of which is attached:

- Notice of Driving Suspension (for 30 or 90 days) (s. 277.1 of the *Highway Traffic Act*)
- Notice of Driving Prohibition (s. 277.2 of the *Highway Traffic Act*)

.....

(Signature of Peace Officer)

SCHEDULE IV

**SCHEDULE 8
REPORT OF DRIVING SUSPENSION OR PROHIBITION
(s.277.4(d) of the Highway Traffic Act)**

Name

Address

Driver Information
.....(License Number) (Province)

This report is official notification to the Registrar of Motor Vehicles that the above-named driver has been issued a Notice of Driving Suspension for 30 or 90 days under section 277.1 of the *Highway Traffic Act* or a Notice of Driving Prohibition under section 277.2 of the *Highway Traffic Act*.

I, of the
Peace Officer (please print) Police Detachment

hereby make oath and say or affirm to the Registrar of Motor Vehicles that I issued on the above-named driver a
 Notice of Driving Suspension (for 30 or 90 days)(s. 277.1 of the *Highway Traffic Act*); or
 Notice of Driving Prohibition (s. 277.2 of the *Highway Traffic Act*)

Sworn/Affirmed before me at, County,
in the Province of Prince Edward Island
thisday of, in the year

.....
Signature of Peace Officer

.....
Commissioner of Oaths

EXPLANATORY NOTES

SECTION 1 revokes the Notice of Impoundment form in Schedule 1 of the regulations and replaces it with a new version that incorporates amendments to the *Criminal Code* and the *Highway Traffic Act* respecting alcohol-impaired driving.

SECTION 2 revokes the Notice of Driving Suspension (for 7, 30 or 90 days), Notice of 24-hour Driving Suspension and Notice of Driving Prohibition forms in Schedule 4 of the regulations. It replaces each with a new version that incorporates amendments to the *Criminal Code* respecting alcohol-impaired driving and amendments to section 277.1 of the *Highway Traffic Act*.

SECTION 3 amends the Statutory Declaration form in Schedule 5 of the regulations to incorporate amendments to section 277.1 of the *Highway Traffic Act*.

SECTION 4 revokes the Certificate of Service form in Schedule 6 of the regulations and replaces it with a new version that incorporates amendments to section 277.1 of the *Highway Traffic Act*.

SECTION 5 revokes the Report of Driving Prohibition form in Schedule 8 of the regulations and replaces it with a new version that incorporates amendments to section 277.1 of the *Highway Traffic Act*.

SECTION 6 provides for the commencement of these regulations.

EC2018-751**HIGHWAY TRAFFIC ACT
GRADUATED DRIVER LICENSING REGULATIONS
AMENDMENT**

Pursuant to subsection 69(1) of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Subsection 2(3) of the *Highway Traffic Act* Graduated Driver Licensing Regulations (EC225/07) is amended**(a) by the addition of the following after clause (a):**

(a.1) the Stage 1 driver's blood drug concentration shall be zero while the driver is operating or has care or control of the motor vehicle;

(b) by the addition of the following after clause (b):

(b.1) the accompanying driver shall not, while the Stage 1 driver is operating or has care or control of the motor vehicle,

(i) have in the person's body a drug or a combination of alcohol and a drug that, based on the person's performance on a physical coordination test or the results of any other test for drugs or a combination of alcohol and drugs that may be in the person's body for which a demand may be made of a driver under the *Criminal Code*, or both, causes a peace officer to believe that the person is unable to safely operate or have care or control of the motor vehicle, or

(ii) refuse a demand from a peace officer to perform or submit to a test to determine the person's blood alcohol concentration or the presence of alcohol or a drug in the person's body or fail to follow the peace officer's instructions regarding such a test, for the purpose of clause (b) or this clause;

2. Subsection 3(3) of the regulations is amended**(a) by the addition of the following after clause (a):**

(a.1) the Stage 2 driver's blood drug concentration shall be zero while the driver is operating or has care or control of the motor vehicle;

(b) by the revocation of clause (c) and the substitution of the following:

(c) the Stage 2 driver shall not operate or have care or control of a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. unless the Stage 2 driver

(i) is accompanied by a fully licensed driver

(A) who is seated beside the driver,

(B) who has held a valid driver's license in the province or another jurisdiction for at least four years,

(C) whose blood alcohol concentration shall be less than 50 milligrams of alcohol in 100 millilitres of blood,

(D) who shall not have in the person's body a drug or a combination of alcohol and a drug that, based on the person's performance on a physical coordination test or the results of any other test for drugs or a combination of alcohol and drugs that may be in the person's body for which a demand may be made of a driver under the *Criminal Code*, or both, causes a peace officer to believe that the person is unable to safely operate or have care or control of the motor vehicle, and

(E) who shall not refuse a demand from a peace officer to perform or submit to a test to determine the person's blood alcohol concentration or the presence of alcohol or a drug in the person's body or fail to follow the peace officer's instructions regarding such a test, for the purpose of paragraph (C) or (D), or

(ii) has been granted an exemption under subsection (9).

3. Subsection 4(3) of the regulations is amended by the addition of the following after clause (a):

(a.1) the Stage 3 driver's blood drug concentration shall be zero while the driver is operating or has care or control of the motor vehicle;

4. These regulations come into force on December 18, 2018.

EXPLANATORY NOTES

SECTIONS 1 and 2 add zero blood drug concentration as a condition to Stage 1 and 2 driver's licenses. Sections 1 and 2 also add conditions to the Stage 1 and 2 driver's licenses related to accompanying drivers and tests for alcohol, drugs or a combination of alcohol and drugs that may be present in their bodies while acting as accompanying drivers.

SECTION 3 adds zero blood drug concentration as a condition to Stage 3 driver's licenses.

SECTION 4 provides for the commencement of these regulations.

EC2018-752

LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
RONALD J. KEEFE

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, ordered that Letters Patent under the Great Seal of the Province be issued to appoint Ronald J. Keefe of Cornwall, Prince Edward Island as Her Majesty's Counsel learned in the law of Prince Edward Island, effective December 11, 2018.

EC2018-753

LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
JANICE L. MACCALLUM

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, ordered that Letters Patent under the Great Seal of the Province be issued to appoint Janice L. MacCallum of Charlottetown, Prince Edward Island as Her Majesty's Counsel learned in the law of Prince Edward Island, effective December 11, 2018.

EC2018-754LEGAL PROFESSION ACT
QUEEN'S COUNSEL
APPOINTMENT
OF
DONALD K. MACKENZIE

Council, pursuant to subsection 34(1) of the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1, ordered that Letters Patent under the Great Seal of the Province be issued to appoint Donald K. MacKenzie of Stratford, Prince Edward Island as Her Majesty's Counsel learned in the law of Prince Edward Island, effective December 11, 2018.