

Demerit Points

PENALTIES



Demerit Points

In its ongoing efforts to improve road safety in Québec, the Société de l'assurance automobile du Québec (SAAQ) has applied a demerit point system since 1973.

This system takes into account the relative severity of several *Highway Safety Code* offences in order to penalize offenders.

Penalties

A penalty is one of the consequences imposed on driver's licence holders who have reached or exceeded the number of demerit points set for the bracket that applies to them.

When you accumulate a number of demerit points that is equal to or greater than the threshold for your bracket, the SAAQ informs you in writing that **your learner's licence, probationary licence or driver's licence has been revoked**.

This means that your licence is cancelled and you are no longer authorized to drive.

If you have never held a driver's licence and 4 demerit points or more are entered on your driving record, the SAAQ informs you in writing that **your right to obtain a learner's licence has been suspended**.

This means that you cannot obtain a learner's licence for a minimum period of 3 months.



How long is the penalty period?

Your licence will be revoked (or your right to obtain a licence will be suspended) for a minimum of **3 months**.

The length of the penalty period is calculated every time the SAAQ enters a new conviction on your record. The penalty period can be for 3, 6 or 12 months, depending on:

- the demerit point bracket that applies;
- the number of demerit points entered on your record;
- the length of the most recent penalty imposed within the previous 2 years.

What are the consequences of driving during a penalty period?

You are committing an offence if you drive while your learner's licence, probationary licence or driver's licence has been revoked, or while your right to obtain a licence has been suspended.

Your vehicle will be seized and impounded at your expense for **30 days**. If the vehicle does not belong to you, you must inform the owner without delay.

In addition to legal costs, you will have to pay a fine of **\$600 to \$2,000**.¹

How do you get a new driver's licence at the end of a penalty period?

To get a new licence after the penalty period has ended, you must abide by the conditions provided for under the *Highway Safety Code*.

You must:

- make an appointment² by phone or online via SAAQclic at an SAAQ service centre before the end of the penalty period;
- pass the reinstatement knowledge test;³
- pay the test and licence fees.

1. In addition to the fine, you will have to pay the court fees payable under the *Tariff of court costs in penal matters*, subject to modification, as well as a contribution to the fund dedicated to assistance for persons who are victims of criminal offences, as provided for under the *Code of Penal Procedure*.
2. If you held a learner's licence at the time of the penalty, you must go directly to an SAAQ service centre so that we can issue a new licence.
3. If you fail the reinstatement knowledge test, you must wait at least 28 days before taking the test again.

Examples of revocation periods

Learner's or probationary licence holders (4 demerit points)				
Number of demerit points on record	Revocation period			
	No penalties on record	A 3-month penalty on record	A 6-month penalty on record	A 12-month penalty on record
4 to 7 points	3 months	6 months	12 months	12 months
8 to 11 points	6 months	12 months	12 months	12 months
12 points or more	12 months	12 months	12 months	12 months

Driver's licence holders under age 23 (8 demerit points)				
Number of demerit points on record	Revocation period			
	No penalties on record	A 3-month penalty on record	A 6-month penalty on record	A 12-month penalty on record
8 to 15 points	3 months	6 months	12 months	12 months
16 to 23 points	6 months	12 months	12 months	12 months
24 points or more	12 months	12 months	12 months	12 months

Driver's licence holders age 23 or 24 (12 demerit points)				
Number of demerit points on record	Revocation period			
	No penalties on record	A 3-month penalty on record	A 6-month penalty on record	A 12-month penalty on record
12 to 23 points	3 months	6 months	12 months	12 months
24 to 35 points	6 months	12 months	12 months	12 months
36 points or more	12 months	12 months	12 months	12 months

Driver's licence holders age 25 and older (15 demerit points)				
Number of demerit points on record	Revocation period			
	No penalties on record	A 3-month penalty on record	A 6-month penalty on record	A 12-month penalty on record
15 to 29 points	3 months	6 months	12 months	12 months
30 to 44 points	6 months	12 months	12 months	12 months
45 points or more	12 months	12 months	12 months	12 months

Restricted licence

A restricted licence allows you drive a vehicle for work-related purposes only.

You can apply for a restricted licence if your probationary or driver's licence has been revoked because of too many demerit points.

You cannot apply for a restricted licence if:

- you wish to provide remunerated passenger transportation by automobile and a *Criminal Code* offence was entered in your record during the 5 years prior to the current penalty for demerit points;
- your licence was issued by another jurisdiction;
- your licence has not been valid for 3 or more years;
- your licence has been suspended or will soon be suspended for medical reasons.

Steps to getting a restricted licence:

- File a motion before a judge of the Court of Québec in your local judicial district. The court clerk and staff may be of assistance in drafting the motion. Fees apply.
- Prove to the judge that you need to drive in order to work.
- Ask the judge to issue an order allowing you to obtain a restricted licence.
- Go to an SAAQ service centre with the court order.

The SAAQ can ask for a review of the court order if it believes that one or more conditions have not been respected.

In addition, if you receive another penalty or if you fail to abide by the conditions of your restricted licence, your restricted licence will be suspended.

How does having demerit points on my driving record affect my insurance contribution?

The insurance contribution payable when you renew your licence is determined by the number of demerit points entered on your driving record during the two previous years.

This contribution funds the public automobile insurance plan administered by the SAAQ.

For more information

Online

saaq.gouv.qc.ca

By telephone

Toll-free: 1-800-361-7620

TDD/TTY



Montréal area: 514-954-7763

Elsewhere in Québec: 1-800-565-7763

By mail

Service du suivi du comportement (SCC)

Société de l'assurance automobile du Québec

Édifice Jean-Lesage

333, boulevard Jean-Lesage

Case postale 19500, succursale Terminus

Québec (Québec) G1K 8J5



This folder is not a text of law. For any reference of a legal nature, please consult the *Highway Safety Code* and attendant regulations.

Original text in French

**Société de l'assurance
automobile**

Québec



Avec vous,
au cœur de votre sécurité