


# Demerit Points

DRIVER'S  
LICENCE



4/15

Québec 



*Anne-Marie Lapointe*

Permis de conduire

**L1531-171**

4d  
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9 Classe(s) : **1 2 3 4A 4B**  
12 Cond. : **A C**  
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Québec 

# 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 drivers at fault.





Demerit points are entered on your driving record when you commit certain driving-related offences.

### Demerit point brackets

A bracket corresponds to the number of demerit points which, once reached or exceeded due to one or more convictions, results in a penalty to the licence holder. Here are the four possible demerit point brackets:

Type of licence	Bracket			
	4 points*	8 points	12 points	15 points
Learner's licence		Driver's licence: holders under age 23	Driver's licence: holders age 23 or 24	Driver's licence: holders age 25 or older
Probationary licence				

\* The 4-point bracket also applies to an individual who has never held a driver's licence.

### PLEASE NOTE

Conditions that apply to a Class 5, 6A, 6B or 6C learner's or probationary licence are the same if you hold:

- a Class 6D (moped or motorized scooter) or Class 8 (farm tractor) licence and you have fewer than 5 years of experience;
- a restricted licence issued following revocation of a probationary licence.

### When are demerit points entered on your driving record?

Demerit points are entered on your driving record once the SAAQ is notified, by a court of law, of your conviction following:

- payment of a fine
- or
- a judgment rendered.

### How long do demerit points remain on record?

#### Two years

Demerit points remain on your driving record for two years following the date of conviction.

### What happens if you have never held a licence?

If you have never held a licence and you commit an offence that results in demerit points, the SAAQ will open a file and enter the number of points related to that offence.

## Penalty

A penalty is one of the consequences imposed on 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 of 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 no longer have the right 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?

The licence revocation or the suspension of the right to obtain one is for a minimum period of 3 months.

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

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

## Examples of revocation periods

Learner's or probationary licence (4 demerit points)				
Number of demerit points on record	Revocation period			
	No penalty 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 age 25 or older (15 demerit points)				
Number of demerit points on record	Revocation period			
	No penalty 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

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

You will need to get a new licence after the penalty period has ended. To do so, you must abide by the conditions provided under the *Highway Safety Code*.

#### ***You must:***

- call the SAAQ to make an appointment<sup>1</sup> with one of its service centres near the end of the penalty period;
- pass the reinstatement knowledge test<sup>2</sup>, if applicable;
- pay the test and licence fees.

1. *Individuals who held a learner's licence at the time of the penalty must go directly to one of our service centres so that the SAAQ can issue a new licence.*
2. *If you fail the reinstatement knowledge test, you must wait at least 28 days before taking the test again.*

## Which Highway Safety Code offences lead to the entry of demerit points?

OFFENCE	DEMERIT POINTS
Driving too fast for weather, road and traffic conditions	2
Failing to maintain a safe distance between vehicles (tailgating)	2
Accelerating when being passed by another vehicle	2
Passing a cyclist when there isn't enough space to do so	2
Failing to yield the right of way to pedestrians and cyclists at an intersection	2
Failing to yield to oncoming traffic	2
Braking suddenly without cause	2
Failing to stop before turning right at a red light, where such a turn is permitted	3
Failing to wear a seat belt	3
Failing to wear a helmet when required by the type of vehicle (motorcycle or scooter)	3
Passing on the right or left where prohibited	3
Driving in reverse where prohibited	3
Failing to obey a red traffic light or stop sign	3
Failing to come to a mandatory stop at a level crossing	3
Crossing a solid line marking off lanes	3

OFFENCES	DEMERIT POINTS
Passing several vehicles by weaving in and out of traffic	4
Carrying out a prohibited passing manoeuvre in a lane reserved for oncoming traffic	4
Speeding or reckless driving	4
Failing to yield to an emergency vehicle whose lights or sirens are in operation, such as an ambulance, police car or fire engine	4
Failing to slow down or change lanes when approaching a stopped vehicle with its flashing or rotating lights or yellow arrow signal light activated	4
Driving while unaccompanied or between midnight and 5 a.m. (holder of a learner's licence)	4
Driving between midnight and 5 a.m. with certain passengers (holder of a probationary licence)	4
Driving with the presence of alcohol in the body when subject to the zero-alcohol rule	4
Failing to provide a breath sample	4
Failing to obey the orders or signals of a peace officer, school crossing guard or flagperson	4
Driving while using a portable electronic device or a display screen	5

OFFENCES	DEMERIT POINTS
Failing to stop when approaching a school bus or minibus with its flashing lights or stop sign in operation, or passing or crossing such a vehicle when prohibited	9
Driving a vehicle transporting too great a load of dangerous substances through a tunnel	9
Failing to perform one's duty when involved in an accident, for example, failing to provide one's name and address to the parties concerned or to the police	9
Failing to stop at a level crossing when driving a bus, a minibus or a road vehicle transporting certain dangerous substances	9
Driving for a wager or stake or in a race	12
Holding onto or riding on the running board or in the box or dump body of a vehicle in motion, or tolerating such behaviour	12
Holding onto or being pulled or pushed by a vehicle in motion, or tolerating such behaviour	12

## Demerit points for excessive speeding

EXCEEDING THE SPEED LIMIT <small>Travelling over the statutory speed limit or posted speed limit</small>	DEMERIT POINTS		
	Zone of 60 km/h or less	Zone of more than 60 km/h to not more than 90 km/h	Zone of 100 km/h or more
by 11 to 20 km/h	1	1	1
by 21 to 30 km/h	2	2	2
by 31 to 45 km/h	3	3	3
31 to 39 km/h	6	3	3
40 to 45 km/h			
by 46 to 60 km/h	10	5	5
46 to 49 km/h			
50 to 59 km/h			
60 km/h			
by 61 to 80 km/h	14	14	14
by 81 to 100 km/h	18	18	18
by 101 to 120 km/h	24	24	24
by 121 km/h or over	30 or more	30 or more	30 or more

EXCESSIVE SPEEDING

### TEN YEARS

Even though demerit points no longer appear on your record after two years, an excessive speeding offence will remain on your record for 10 years.

This means that if you are pulled over for other excessive speeding offences during that period, you could face even stiffer penalties.

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

The insurance contribution required at the time your licence renewal is due is determined on the basis of the number of demerit points entered on your driving record during your reference period. This contribution funds the public automobile insurance plan administered by the SAAQ.

### Even outside Québec

Québec has entered into reciprocal agreements with Ontario, Maine and the State of New York. As a result, the SAAQ is notified if you commit an offence that leads to the entry of demerit points in those jurisdictions. The file is then processed as if the offence had occurred in Québec.

For more information

## By Internet

[saaq.gouv.qc.ca](http://saaq.gouv.qc.ca)

## By telephone

In Montréal: 514-873-7620

In Québec (city and vicinity): 418-643-7620

Elsewhere, toll free: **1-800-361-7620**

(Québec, Canada, USA)

TDD/TTY



In Montréal: 514-954-7763

Elsewhere in Québec: 1-800-565-7763

## By mail

### Service de l'évaluation médicale et du suivi du comportement

Société de l'assurance automobile du Québec

P.O. Box 19500, succursale Terminus

333, boulevard Jean-Lesage

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.*

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**Société de l'assurance  
automobile**

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