

PROHIBITION

from putting into operation,
acquiring, renting, leasing,
registering and putting into
storage a road vehicle

PENALTY

for Repeat or
Persistent Offenders.



Québec 



14:53:06

What is this penalty?

This penalty applies to certain repeat or persistent offenders who have been convicted of a criminal offence related to driving with alcohol or drugs in their system, failing to stop at the scene of an accident, or failing to stop while being pursued by a police officer. This penalty prohibits such repeat or persistent offenders from putting into operation any of their vehicles (except for trailers). They are also prohibited from acquiring, renting, leasing, registering and putting into storage a road vehicle.

Any vehicle seized under the *Highway Safety Code* is automatically impounded for 90 days if the person driving or having care or control of the seized vehicle was subject to this penalty at any point in the previous 10 years.

When does the penalty apply?

Whenever someone is convicted of a criminal offence related to driving with alcohol or drugs in their system, failing to stop at the scene of the accident, or failing to stop while being pursued by police, the Société de l'assurance automobile du Québec (SAAQ) receives a notice of judgment from the court. Offenders whose record meets the criteria listed in the previous section will receive a letter notifying them that they will be subject to the above-mentioned penalty as of 20 days from the date of the letter.

How long does the penalty last?

The penalty has no set duration. It ends when the offender obtains a driver's licence or probationary licence that does not bear the condition that only authorizes that person to drive a vehicle equipped with an alcohol ignition interlock device. However, the penalty is lifted for the duration of the offender's participation in the alcohol ignition interlock device program.



What happens if an offender puts a vehicle covered by the prohibition back into operation?

Offenders who drive any of their vehicles during the penalty period are liable to a fine of \$1,500 to \$3,000 (fines are doubled in the case of a repeat offence). They could also be liable to other penalties, notably an additional fine of \$1,500 to \$3,000 and the seizure and impoundment of their vehicle, if they drive while their licence is suspended, revoked or cancelled.

When a vehicle covered by the prohibition is driven by another person, both the offender and the person driving the vehicle are liable to a fine of \$300 to \$600.

Application for exemption

An offender can apply for an exemption in either of the following cases:

- 1** The offender has a business, and the offender's vehicle must be driven by a third party as part of the business's activities.

Depending on the situation, the exemption may:

- allow the offender to acquire or lease a vehicle;
- authorize the registration and operation, for business purposes, of the vehicles listed in the application for exemption.

To apply for the exemption, the offender must:

- a) complete the form entitled *Application for Exemption from the Prohibition from Putting into Operation, Acquiring, Renting, Leasing or Registering a Road Vehicle – With Removable Licence Plates and Vehicle Driven by a Third Party*, available on the SAAQ website and in SAAQ service centres;
- b) go to an SAAQ service centre with the supporting documents requested on the form.

The exemption will be cancelled if any of the following offences are entered on the offender's record:

- an unpaid fine;
- an uninsured accident;
- failure to provide proof of insurance when required to do so.

2 The offender is eligible to obtain a licence to drive a vehicle equipped with an alcohol ignition interlock device and wishes to equip a vehicle with this device.

To apply for the exemption, the offender must:

- a) follow the required procedure for obtaining a licence to drive a vehicle equipped with an alcohol ignition interlock device (restricted licence, licence with Condition I or licence with Condition X, as applicable). For more information on the procedure to follow, refer to the SAAQ website or the *Alcohol Ignition Interlock Device* folder (available on the SAAQ website and in SAAQ service centres);

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- b) complete the *Application for Exemption from the Prohibition from Putting into Operation, Acquiring, Renting, Leasing or Registering a Road Vehicle – Person Eligible for the Alcohol Ignition Interlock Device Program*, available on the SAAQ website and in SAAQ service centres;
- c) bring the duly completed form and the required supporting documents along when going to a service centre to obtain the licence authorizing him or her to drive a vehicle equipped with an alcohol ignition interlock device in order to apply for the exemption at the same time.

Depending on the situation, the exemption may:

- allow the offender to acquire or lease a vehicle;
- authorize the registration and operation of the vehicles listed in the application for exemption.

The exemption will be cancelled if any of the following offences are entered on the offender's record:

- an unpaid fine;
- an uninsured accident;
- failure to provide proof of insurance when required to do so.

The exemption may also be cancelled if an offender's licence is suspended, revoked or cancelled.



For more information

Online

saaq.gouv.qc.ca

Telephone

Québec area: **418-643-5506**

Elsewhere (toll-free): **1-800-561-2858**

(Québec, Canada, United States)

Mail

Service de l'évaluation médicale et du suivi du comportement

Société de l'assurance automobile du Québec

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This is not a legal text. For all legal questions, please refer to the Highway Safety Code and attendant regulations, as well as the Criminal Code.

Original text in French

**Société de l'assurance
automobile**

Québec 

Avec vous,
au cœur de votre sécurité