



Type of law:
CRIMINAL LAW

A 2018 Alberta Guide to the Law

Driver's Licence Suspensions



COPYRIGHT & DISCLAIMER

GENERAL

All information is provided for general knowledge purposes only and is not meant as a replacement for professional legal advice. If you have a personal legal question that requires legal advice, please consult a lawyer.

COPYRIGHT

Copyright **2018**, Student Legal Services of Edmonton. All rights reserved. Copying any material, in whole or in part, is prohibited unless prior consent has been obtained. Some material may be subject to copyright from an outside source and thus there may be different restrictions on the reproduction of this material.

LIMITATION OF LIABILITY

Student Legal Services of Edmonton is not liable for any loss or damage caused by an individual's reliance on information or material obtained from Student Legal Services of Edmonton. By accessing the information, individuals agree that any usage is at their own risk.

INFORMATION AND OPINIONS

In some instances, information obtained by Student Legal Services may have been provided by outside sources. Even with the high standards set by Student Legal Services of Edmonton, we accept no responsibility for the accuracy and reliability of the material. Opinions and Informations provided by third parties does not represent that of Student Legal Services of Edmonton.

IMAGES

Icons made by Freepik from www.flaticon.com.

Infographics sourced from Piktochart from www.piktochart.com.

DRIVER'S LICENSE SUSPENSIONS:

In Alberta there are two main sets of laws that deal with drivers: the Traffic Safety Act and the Criminal Code of Canada



DEFINITIONS:

Motor Vehicle: anything that moves without muscular power

Highway: any public or private place where people can park or drive vehicles

DRIVING WHILE UNDER THE INFLUENCE

When a person is found guilty under the impaired driving charges of the criminal code they become disqualified from driving for one year.

The Alberta Administrative License Suspension Program (AALS) also allows a police officer to issue an immediate suspension when they have reasonable and probable grounds to do so.



OTHER WAYS YOUR LICENSE CAN BE SUSPENDED

- Violation of a criminal code section that deals with driving
- Failure to fulfil the duties that arise after an accident has occurred
- Failing to follow the rules of the road
- Careless driving
- Violating a municipal bylaw which regulates moving vehicles
- Violates a regulation in the National Parks Act to which the Traffic Safety Act applies
- Failure to pay outstanding fines / judgments
- Accumulation of demerit points

GETTING YOUR LICENSE BACK

Along with waiting the allotted suspension period, you must complete all the conditions listed on your Notice of Suspension before you can get your license back, these might include:

- completion of an impaired driving course
- completion of "Planning Ahead" or "Impact" courses
- completion of a drivers examination
- payment of a license reinstatement fee (\$200 for criminal code offences and \$50 for non-criminal code offences)



APPEALING A SUSPENSION

- If you have received a Notice of Suspension due to an impaired or refusal charge you can appeal this suspension to the Transportation Safety Board. You must purchase an Application for Hearing from an Alberta Registry Agent and pay the fee for the appeal hearing. If your appeal is successful, you will be refunded the application fee but not the Registry Agent fee. You must file the Application for Hearing with the board within 30 days of the suspension/disqualification being issued.

- Under the criminal code, if you have been convicted of a summary offence, a Notice of Appeal needs to be filed with the Court of Queen's bench within 30 days of the date of sentence. If you have been convicted of an indictable offence, a Notice of Appeal needs to be filed with the Court of Appeal within 30 days of the date of sentence.

Table of Contents

INTRODUCTION	4
Basic Definitions	5
Licence Rules	5
Ways a Licence Can Be Suspended	6
I. Driving While Under the Influence of Alcohol	6
<i>Federal Law: The Criminal Code of Canada</i>	<i>7</i>
<i>Provincial Law: Traffic Safety Act</i>	<i>7</i>
<i>Immediate Roadside Sanction Program</i>	<i>8</i>
<i>24-Hour Suspension Program</i>	<i>8</i>
<i>The Ignition Interlock Program</i>	<i>8</i>
<i>Getting Your Licence Back After a Suspension</i>	<i>10</i>
II. Violating Other Criminal Code Sections.....	10
III. Suspensions Due To Demerit Points.....	11
<i>Demerit Point System for Fully Licenced Drivers.....</i>	<i>12</i>
<i>Demerit Point System for Graduated Driver Licensing</i>	<i>12</i>
<i>Getting Your Licence Back After a Suspension.....</i>	<i>13</i>
IV. Other Reasons for Suspensions	13
Appealing a Decision	14
Appealing a Suspension/Disqualification	14
Appealing a Criminal Code Offence Conviction	16
Conclusion.....	16

INTRODUCTION

In Alberta there are 2 main sets of laws that deal with drivers: The *Traffic Safety Act*, and the *Criminal Code of Canada*. This pamphlet will discuss some of the most common reasons why drivers in Alberta have their licences suspended and how these laws apply to suspensions.

Basic Definitions

“Motor Vehicle”

- A vehicle which moves using power other than muscular power. This includes mopeds but does not include bicycles, tractors, aircraft and trains.



“Highway”

- Any road which the public has a right of access to, including bridges and tunnels.

“Operator’s licence”

- Any licence or permit issued anywhere which allows a person to drive a motor vehicle in Alberta.

Licence Rules

In Alberta a person cannot drive a vehicle if he/she does not hold a driver’s licence or it has been suspended. This includes suspensions issued in places other than Alberta. When a person is disqualified from driving a motor vehicle in Alberta, that person’s licence is suspended and he/she is disqualified from holding a valid licence. It is illegal to be in possession of an operators licence while it is suspended. You must surrender your operators licence to a registry agent if it is suspended or cancelled. It is a serious offence to drive while under suspension.



Under s. 94 of the *Traffic Safety Act*, a person is not authorized to drive if (a) that person’s licence has been suspended or cancelled under the Act, (b) that person is disqualified from driving, (c) that person’s licence or permit to drive has been cancelled somewhere other than Alberta, (d) that person’s privilege to secure a licence or permit in a jurisdiction outside Alberta has been cancelled.



A person who contravenes s. 94 for the first time when not authorized to drive for any of the above named reasons may receive a fine of up to \$2000, and if they fail to pay the fine, a term of imprisonment for between 14 days and 6 months. For each subsequent offence committed within one year of the first offence, the punishment is imprisonment (for a term of 14 days to 6 months). Additionally, a person who drives when he/she is not authorized to drive will be disqualified from driving for an additional 6 months from the day he or she is found guilty for driving when unauthorized.

In order to obtain an Alberta driver's licence, you must provide proof that you are lawfully entitled to be in Canada and that you are an Alberta resident. If you are a new resident in Alberta, you must register your vehicle(s) and obtain an Alberta driver's licence within 90 days of moving to the province. However, if you are staying here as a full time student or you are working here as part of a co-op program of study, you may use your valid registration and licence plates from your home province.

You must also have valid insurance and the registration must be in your name.



It is an offence to have more than one valid licence and an Alberta licence may only be replaced if it is damaged, lost or expired.

A person cannot apply for an Alberta licence if they are currently suspended from driving in another province or American state. You must contact that province and clear that suspension based on their legislation and regulations before you can be licenced in Alberta.

Ways a Licence Can Be Suspended

Reasons a driver in Alberta may have their licence suspended:

1. The driver has been found guilty of driving while under the influence of drugs or alcohol under the Criminal Code of Canada (sections 253 or 254).
2. The driver has violated another criminal code section dealing with driving.
3. Under s. 86 of the Traffic Safety Act, the court may suspend a driver's licence for up to 3 months if the driver:
 - a. Fails to fulfil the duties that arise after an accident has occurred (duties listed under s. 69 and s. 71 of the Act);
 - b. Fails to follow certain rules of the road (which are subject to the Traffic Safety Act);
 - c. Drives carelessly according to s. 115 of the Traffic Safety Act;
 - d. Violates a municipal bylaw which regulates moving vehicles, including a speed limit; or
 - e. Violates a regulation in the National Parks Act to which the Traffic Safety Act applies.
4. Another reason for suspension includes the failure to pay motor vehicle judgements.



I. Driving While Under the Influence of Alcohol

There are 2 sets of laws that deal with impaired driving:



Federal Law: The Criminal Code of Canada

The important sections are:

- a. Impaired driving regardless of blood alcohol levels, s. 253(1)(a);
- b. Driving with blood alcohol level over 0.08%, s. 253(1)(b);
- c. Refusing to provide breath or blood sample, s. 254(5);
- d. Impaired driving causing bodily harm, s. 255(2);
- e. Impaired driving causing death, s. 255(3);
- f. Dangerous Driving, s. 249;
- g. Flight from Police, s. 249.1(1); and
- h. New drug-impaired driving laws introduced on June 21, 2018, they will be added to the *Criminal Code* on December 18, 2018.



These are serious criminal charges and therefore the penalties are severe. They range from heavy fines to jail terms and court ordered prohibitions from driving. Conviction under one of these offences will result in a criminal record.

Provincial Law: Traffic Safety Act

The general rule under s. 83(1) of the *Traffic Safety Act* is that when a person is found guilty under the impaired driving charges in the *Criminal Code* (s. 253 and 254) that person becomes disqualified from driving for 1 year from the day of a finding of guilt. The disqualification is 3 years if the person has one prior conviction (and 5 years if the person has 2 prior convictions) in the past 10 years under s. 253 or 254 of the *Criminal Code*. If the 2 prior convictions arose from the same incident, then the convictions are treated as 1 offence and disqualification is for 3 years.



Alberta has a program in place called the Alberta Administrative Licence Suspension Program (AALS). It is aimed at keeping drunk drivers off the roads.

Under s. 88.1 of the *Traffic Safety Act*, a police officer who has reasonable and probable grounds to believe that a driver is impaired may require the driver to surrender his/her driver's licence if:

- a. The driver's blood alcohol level is over 0.08% (usually determined by a breathalyser test);
- b. The driver's blood drug concentration is over 2 nanograms of THC per millilitre of blood (usually determined by a fluid sample);
- c. The driver has a blood alcohol level over 0.05% and a blood drug concentration over 2.5 nanograms of THC per millilitre of blood;
- d. The driver fails or refuses to comply with a breath or fluid demand.

Under this program, a police officer will issue a mandatory driver's licence suspension that is in effect for 90 days, followed by a further period of one year. The one-year portion of the suspension can be served by only driving through the **Ignition Interlock**

Program. No conviction is necessary, this suspension comes into effect immediately upon being charged and served with a Notice of Suspension (although you are still suspended if you refuse to accept the Notice). However, the police officer may, depending on the circumstances of the offence, give a 15-day temporary driving permit; in this circumstance, the suspension comes into effect after the 15 days have expired.

Immediate Roadside Sanction Program

The Immediate Roadside Sanction (IRS) program applies to drivers who have between a .05 and .08 blood alcohol level. Drivers in this range will not be criminally charged, but will be subject to the following sanctions:

- a. 1st offence within 10 years: immediate 3-day suspension and 3 day vehicle seizure;
- b. 2nd offence within 10 years: immediate 15-day suspension, 7 day vehicle seizure and completion of the “Planning Ahead” driving course;
- c. 3rd offence within 10 years: immediate 30-day suspension, 7 day vehicle seizure and completion of the “IMPACT” driving course.

24-Hour Suspension Program

The 24-hour suspension program applies to all drivers suspected of being impaired by alcohol, drugs, physical or mental condition. This 24-hour immediate suspension gives officers an opportunity to investigate the situation. Drivers that receive a 24-hour suspension for medical reasons may have to have their file reviewed by Alberta Transportation’s Driver Fitness and Monitoring to determine whether they are still fit to drive.



The Ignition Interlock Program



The Ignition Interlock Program is an alcohol-sensing device that is attached to the ignition of a vehicle. The driver is prevented from starting and/or driving his/her vehicle if the device detects a preset level of alcohol on the driver’s breath. All program activity is recorded and monitored, including any “fails” (above 0.040 blood alcohol level) or “warns” (above 0.020 blood alcohol level). The device is monitored by the Transportation Safety Board. A driver registering fails or warns, or inappropriate use of handling of the Ignition Interlock device may be requested to appear before the Board to review their participation in the program. A driver’s time on the program may be extended if warns or fails are recorded by the device and they were not cleared within 10 minutes.

The Board expects zero warns and fails while the applicant is on the Ignition Interlock Program.



Drivers who are issued a “fail” or “warning” by the device may not be allowed to participate in the Ignition Interlock Program anymore.

There are two different, but related, ignition interlock programs. The first comes from the AALS program describe above. The AALS program is optional, and the individual could instead choose to remain suspended during this time. The second program is the Mandatory Ignition Interlock Program and can come from a criminal conviction.

Drivers convicted under sections 253, 254, and 255 of the *Criminal Code* may apply to the Ignition Interlock Program once their licence disqualification has expired.

Requirements for the Ignition Interlock Programs:

1. The Mandatory Ignition Interlock Program is required for licence reinstatement following a conviction for a s. 253, s. 254, or s. 255 offence,
2. The driver is eligible for the Mandatory Ignition Interlock Program once they have served the court-ordered driving prohibition period; this period will be at least 3 months for a first offence, at least 6 months for a second offence and at least 12 months for any subsequent offence. The length of mandatory driving prohibition before registering for the Ignition Interlock Program will change on December 18, 2018. Following this date there will be no mandatory driving prohibition for a first offence, the period will be at least 3 months for a second offence, and at least 6 months for any subsequent offence.
3. The AALS Ignition Interlock Program is optional following the mandatory 90-day AALS driving suspension;
4. To be eligible for either program the driver must be a resident of Alberta and eligible for a Restricted Operator’s Licence;
5. If the driver is a first-time offender, he/she must attend the “Planning Ahead” Driver Program before being approved for the Program;
6. If the driver is a repeat offender, he/she must attend the “IMPACT” Driver Program before being approved for the Program;
7. The driver must also have served all non-alcohol related suspensions;
8. The driver must participate in the Mandatory Ignition Interlock Program for a minimum of twelve (12) months and up to a maximum of five (5) years;
9. The driver must participate in the AALS Ignition Interlock Program for 12 months;
10. For the Mandatory Ignition Interlock Program, the driver’s servicing reports covering the final three (3) months of the program must be clear of warn or fail readings to be approved for exit from the program.

The cost of the Ignition Interlock Program is:

Installation fee	\$145 (plus GST)
Monthly Rental Fee	\$95

Application Fee	\$63 (in addition to the Registry Agent fee)
Removal Fee	\$50
“Planning Ahead” Driver Program (for first time offenders)	\$315
“IMPACT” Driver Program (for repeat offenders)	\$925

Note: There are also fees for restricted operator’s licence and road test when applicable. All costs are subject to change.

Getting Your Licence Back After a Suspension

Even though the suspension period may be finished, a person cannot get their licence back until he/she has completed all the conditions listed on the notice of suspension. This even applies to people who leave the province. The conditions on the notice of suspension must be read very carefully! Some of the basic conditions that must be met are:

- a. Completion of an impaired driving course;
- b. Completion of “Planning Ahead”, a one-day educational course (for first offenders), or completion of “IMPACT”, a weekend pre-treatment course (for repeat offenders); and
- c. Completion of a driver’s examination and payment of the licence reinstatement fee (\$200 for *Criminal Code* offence).



A person must give a registry agent proof of completion of the conditions outlined. After doing this, you will get a written notice that your driving privileges have been reinstated. The person can then apply for a new licence.

II. Violating Other Criminal Code Sections

If a person is convicted of certain other *Criminal Code* sections, there may be punishments very similar to those just described in the impaired driving section. There will be a federal prohibition and also some form of provincial suspension. The provincial suspensions can be very severe. For example, if a person is convicted of wrongfully causing death with a motor vehicle there is an automatic 5-year licence suspension. In addition, he/she will probably face some form of fine or jail time, depending on how serious the offence was. The rules in this area are not set in stone and both the Court and the Driver’s Control Board have the power to give out very long suspension periods if they feel it is necessary.



Some of the relevant criminal charges are:

- A. Criminal negligence causing death;
- B. Criminal negligence causing bodily harm;

- C. Manslaughter;
- D. Dangerous driving;
- E. Failure of a vessel operator to keep watch on a person being towed;
- F. Failure to remain at the scene of an accident;
- G. Impaired driving regardless of blood alcohol content;
- H. Blood alcohol level over .08/100mg%;
- I. Blood-drug level over 2 ng/ml of THC;
- J. Combined blood alcohol level over .05/100mg% and blood-drug level over 5 ng/ml of THC;
- K. Refusing to provide a breath, fluid or blood sample;
- L. Impaired driving causing death or harm;
- M. Driving while suspended or disqualified;
- N. Flight from police; and
- O. Street racing.

The procedure for getting a licence back after a suspension period is the same as described above in the impaired section except that a person would not be required to take alcohol-related courses, like “Planning Ahead” or “IMPACT.”

III. Suspensions Due To Demerit Points



When a person is found guilty of committing certain driving offences demerit points are recorded against their licence. The following offences result in the following number of demerit points.

Failure to remain at the scene of an accident.....	7 points.
Speeding more than 50 km/h over the limit.....	6 points.
Careless driving.....	6 points.
Racing.....	6 points.
Failing to stop for school bus.....	6 points.
Failing to stop at a railway crossing, or vehicle carrying dangerous load.....	5 points.
Failing to stop for a peace officer.....	5 points.
Following too closely.....	4 points.
Speeding more than 30 km/h but less than 50 km/h over the limit	4 points.
Speeding at an unreasonable rate.....	4 points.
Failure to yield right of way to a pedestrian at a crosswalk	4 points.
Failing to report an accident.....	3 points.
Improper passing in school zone.....	3 points.
Driving on wrong side of road.....	3 points.
Driving the Wrong way on a one way road.....	3 points.

Blocking passing vehicle.....	3 points.
Failure to stop for sign or red light.....	3 points.
Stunting.....	3 points.
Speeding more than 15 km/h but less than 30 km/h over the limit.....	3 points.
Distracted Driving (using cell phone/electronic device, writing/reading/grooming).....	3 points.
Failure to obey traffic control device.....	2 points.
Traffic lane violation.....	2 points.
Improper turns.....	2 points.
Improper backing.....	2 points.
Speeding up to 15 km/h over the limit.....	2 points.

Demerit Point System for Fully Licenced Drivers

When a person gets 8 or more but less than 15 points, he/she is mailed a letter informing him/her of the number of demerit points. When an accumulation of 15 or more points occurs



within a 2-year period, your licence is automatically suspended for 1 month. If you reach 15 points twice in one year, your licence is suspended for 3 months.

When the suspension is the 3rd or more demerit suspension within a two-year period, your licence is suspended for six months. In addition, you may be required to appear before the Alberta Transportation Safety Board.

There is no remedy or appeal against a demerit point suspension, unless it can be proven the demerit points were assigned in error. You may request to review your driving record on these grounds by making a written submission to the Driver Fitness and Monitoring Branch.

When the suspension period is over the person’s licence is given back with 7 demerit points. These points remain on your record until a period of 2 years from the assessed date has passed. After 2 years have passed from your date of conviction, the number of points assessed for that conviction are removed from your record. The 2 years is calculated from the date you actually pay the fine or are found guilty; not the date that you receive the fine.

Before reaching 15 points, a person can take an approved defensive driving course. Upon successful completion of the course, a maximum of 3 demerit points may be removed from a driving record once every 2 years.

Demerit Point System for Graduated Driver Licensing

The demerit point system applies to the Graduated Driver Licensing (GDL) program. In addition to the demerits above for all drivers, the following also apply but only to GDL drivers.



- Curfew, no driving from midnight until 5 am (Class 7 Learners Only).....2 points.
- Having more passengers than seat belts.....2 points.
- Supervisor not fully qualified..... 2 points.



When a person gets 4 or more but less than 8 points, he/she is mailed a letter informing him/her of the number of demerit points. When an accumulation of 8 or more points occurs within a 2-year period, your licence is automatically suspended for 1 month. If you reach 8 points twice in one year, your licence is suspended for 3 months, and you will be directed to appear before the Alberta Transportation Safety Board. When the suspension is the third or more demerit suspension within 2 years, your licence is suspended for 6 months.

When the suspension period is over the person’s licence is given back with 3 demerit points. These points remain on your record until a period of 2 years from the assessed date has passed. After 2 years has passed from you date of conviction, the number of points assessed for that conviction are removed from your record. The 2 years is calculated from the date you actually pay the fine or are found guilty instead; not the date that you receive the fine.

Before reaching 8 points, a person can take an approved defensive driving course. Upon successful completion of the course, a maximum of 3 demerit points may be removed from a driving record once every 2 years.



There is a zero-tolerance policy for alcohol consumption for drivers under the GDL. Drivers licenced under the GDL are prohibited from operating a vehicle with any amount of alcohol in their system. Violation results in an automatic 1-month licence suspension and a 7-day vehicle seizure. If a driver under the GDL violates this condition twice, there will be another 1 month licence suspension and 7 day seizure and the driver will remain in the GDL program until after one year of suspension free driving.

Getting Your Licence Back After a Suspension

Like the suspensions issued for impaired charges, before a licence can be given back, the conditions of suspension outlined on the suspension order must be completed. There is a fee that has to be paid before the licence is given back (\$50 for non-*Criminal Code* offences).

IV. Other Reasons for Suspensions

Driving is considered a privilege not a right. For this reason, the Alberta Transportation Safety Board has the power to suspend an Alberta driver’s licence if they think it is necessary. Suspension may be ordered for a poor driving record (too many demerits),



medical grounds, failure to pay a motor vehicle judgement, failure to pay a fine, failure to insure a motor vehicle, and 24-hour suspension related to Impaired Driving. The Board has the right to suspend the operator's licence for any length of time. The Board may also order that a person take an education program or prescribe other conditions to hold an operator's licence. Before suspending or restricting a licence, the person is given at least 15 days notice in writing and an opportunity to be heard in person, with or without legal counsel. In making its decision, the Board considers a number of things including the person's driving record, driving attitude, driving skills, knowledge and any other important facts.

Under s. 54(1) of the *Traffic Safety Act*, it is an offence to drive an uninsured vehicle. A person driving an uninsured vehicle may be charged even if the vehicle is not theirs. A person borrowing someone else's vehicle must always check to make sure the vehicle has a valid pink slip. A person may be found guilty, unless he/she has checked to make sure it is insured. Also, the registered owner of the uninsured vehicle may be charged for allowing the vehicle to be driven. This is a very serious offence and there are not very many defences to it.

If the judge finds a person guilty there is a fine of not less than \$2500 and not more than \$10,000. If he/she does not pay this in the time allowed, there is a term of imprisonment between 45 days and 6 months. For each subsequent offence of driving without valid insurance within a five year period there is a fine of not less than \$5000 and not more than \$20,000, with a sentence of 60 days to 6 months in jail if the fine is not paid. A driver's licence suspension can also be ordered. The court will also impose a mandatory victim fine surcharge.

A person's licence may also be suspended for failing to pay court ordered payments, such as child maintenance. If a motor vehicle restriction is in place because of a person's child maintenance debt, he/she should contact the Maintenance Enforcement Program (MEP) to set up payment arrangements. The restriction will not be removed until MEP has reviewed the person's statement of finances and a payment arrangement is set up and followed.

Appealing a Decision

Appealing a Suspension/Disqualification

Under the Traffic Safety Act, a person who has a blood alcohol level over 0.08%, has a blood drug concentration over 2 nanograms of THC per millilitre of blood, has a



combined blood alcohol level over 0.05% and 2.5 nanograms of THC per millilitre of blood, or refused a demand by a peace officer to provide a breath or toxicological sample (ex: blood), will be issued a Notice of Suspension/Disqualification.

This can be appealed to the Transportation Safety Board if:

1. A driver can prove they did not produce a breath or blood sample that was over 0.08% while they operated or had care or control of a motor vehicle; or
2. A driver can prove they did not produce a fluid sample over 2 ng of THC/ml of blood while they operated or had care or control of a motor vehicle; or
3. A driver can prove they did not produce both a blood sample over 0.05% and a fluid sample of 2.5 ng of THC/ml of blood while they operated or had care or control of a motor vehicle; or
4. A driver can prove they did not refuse a demand to supply a breath or blood sample while they operated or had care or control of a motor vehicle.

You must purchase an Application for Hearing at any Alberta Registry Agent office.



There is a fee for any appeal hearing (\$125 for non-oral which requires a written submission or \$250 for an oral submission, which requires a personal appearance before the Board). In addition to the application fee, a Registry Agent fee will be charged.

The application fee will be refunded only if the appeal is successful. However, the Registry Agent fee is not refundable, regardless of the Board's decision.



The Application for Hearing must be filed with the Board within 30 days of the suspension/disqualification being issued. A person must have valid grounds for appeal in order to have their case heard.

Inconvenience and hardship will not be considered as a reason to cancel the suspension/disqualification.

Applying for a hearing does not affect your suspension/disqualification. This remains in effect while the appeal process is taking place.

Court decisions on related *Criminal Code* charges do not affect the Alberta Administration Licence Suspension (AALS). This is provincial legislation and the suspension/disqualification remains in effect until the Board rules on the appeal or the suspension/disqualification expires.

The Board will verbally notify the appellant of the decision of the hearing and send a written decision at a later date.

Appealing a Criminal Code Offence Conviction

If you have been convicted with a summary offence, a Notice of Appeal needs to be filed with the Court of Queen’s Bench of Alberta clerks within 30 days from the date of conviction, judgment, order or sentence. If you have been convicted with an indictable offence, a Notice of Appeal needs to be filed with the Court of Appeal within 30 days from the date of sentence.

If a person is appealing a court imposed suspension it is best to seek the assistance of a lawyer.

Conclusion

There are a number of reasons why a driver may have their licence suspended. If you suspect that your licence may be suspended, be safe and contact your local motor vehicles registry branch. If you are caught driving while suspended, the penalties are very harsh. It is important to always update any address changes with your local registry agent so you will receive any notice of suspension. It is not an excuse to say you were not advised about the suspension if you did not report an address change. If you have been suspended or disqualified, do not drive until you are sure that all of the suspension conditions have been met and that your licence is valid.

WHERE CAN I GET HELP OR MORE INFORMATION AND HELP?

Your local authorized Registry Agent will be listed in the yellow Pages.



They will be able to provide you with some information regarding licence suspensions or can give you the appropriate number to call. Questions involving the Motor Vehicle Registrar or the Driver Control Board should be directed to:

Legal Resources

Alberta Solicitor General	Contact: Ph: 780-427-7013 Website: http://www.solgps.alberta.ca
----------------------------------	---

Direct questions about the Motor Vehicle Registrar or Driver Control Board here.

Legal Aid Society of Alberta 10320 102 Ave NW, Edmonton, AB	Contact: Ph: 1-866-845-3425 Website: www.legalaid.ab.ca
---	--

Free legal information lawyers who may represent you for a reduced rate.

Lawyer Referral Service	Contact: Ph: 1-800-661-1095
--------------------------------	--

Referrals to up to 3 lawyers that may be able to help you.

Student Legal Services of Edmonton 11036 88 Ave NW, Edmonton, AB	Contact: Ph: 780-492-2226 Website: www.slsedmonton.com
--	--

Law students able to provide free legal information and assistance with child support applications in the Provincial Court of Alberta.

Elizabeth Fry Society 10523 100 Ave, Edmonton, AB	Contact: Ph: 780-422-4775 Website: www.efryedmonton.ab.ca
---	--

Court workers explain court procedure and terminology, provide legal referrals, and offer practical assistance and support to those appearing in court.

Other Agencies

AMA Impaired Driver's Program Registration	Contact:
---	-----------------

	Ph: 780-430-8811 Toll-free: 1-800-272-5698 Website: https://ama.ab.ca/auto-and-driving/ama-driver-education/alberta-impaired-drivers-program/
--	--

Registration for required educational courses and support for individuals who have been convicted of impaired driving.

Maintenance Enforcement Program Info Line	Contact: Ph: 780-422-5555 Website: https://justice.alberta.ca/programs_services/mep/Pages/default.aspx
--	--

Call for more information if your licence has been suspended by MEP.