

Alberta Zero Alcohol/Drug Tolerance Program

What is the Alberta Zero Alcohol/Drug Tolerance Program?

The Alberta Zero Alcohol/Drug Tolerance Program applies to new drivers, regardless of age, licensed under the Graduated Driver Licensing (GDL) Program. Drivers with Learner (Class 7) or Probationary (Class 5 GDL) Licences must have a zero blood alcohol/drug level when driving or they will automatically receive a 30-day driver's licence suspension, and a 7-day Vehicle Seizure.

What happens if a driver is caught driving after having consumed alcohol/drug?

Effective April 9, 2018, the Alberta Zero Alcohol/Drug Tolerance Program for Graduated Driver Licence (GDL) drivers—which to date included zero tolerance for alcohol in the bloodstream—was expanded to include drugs, drug/alcohol combination, and illegal drugs.

Peace officers are given the authority under the *Criminal Code* (Canada) to request a breath sample from any driver they reasonably suspect has consumed alcohol. They can also request a Standardized Field Sobriety Test from any driver they reasonably suspect has consumed a drug. Where a peace officer reasonably believes a driver's ability to operate a motor vehicle is impaired by alcohol or a drug, or a combination, they may make a demand to comply with a breath test, Drug Recognition Evaluation, and/or blood sample as appropriate.

If the sample indicates the presence of alcohol/drugs, the peace officer will require the immediate surrender of the driver's licence. Please note a driver has the option to request a second breath test at roadside to verify the presence of alcohol, or a blood test to verify presence of drugs. If the second test does not indicate the presence of any alcohol/drugs, the driver's licence will be returned by the peace officer.

If the second test indicates the presence of alcohol/drugs, or a driver does not choose to request a second test, the peace officer will serve a Notice of Suspension / Disqualification which immediately suspends driving privileges for 30 days and seize the motor vehicle for 7 days.

If the:

- breath sample indicates a blood alcohol concentration in excess of 80 milligrams of alcohol in 100 millilitres of blood
- blood sample indicates a blood-drug concentration over the prescribed limits
- peace officer has reasonable grounds to believe the driver is impaired by alcohol, drugs, or their combination
- driver refuses/fails to provide a breath or fluid sample.

the peace officer may instead serve an Alberta Administrative Licence Suspension and lay a criminal charge of impaired driving.

Who receives an Alberta Zero Alcohol/Drug Tolerance Program Suspension and Vehicle Seizure?

Drivers who fall under this program are any driver with a Learner's or Probationary Driver's Licence, under the GDL Program, found to have consumed alcohol/drug before driving.

Can a Driver's Licence Suspension and Vehicle Seizure under this program be appealed?

Appeals of a Driver's Licence Suspension or Vehicle Seizure are permitted and the appeal is made to the Alberta Transportation Safety Board (ATSB). As per Section 45(2) of the *Traffic Safety Act*, a driver has 30 days from the date served, to appeal the suspension. The information on the back of the Notice of Suspension / Disqualification Form guides a driver through the appeal process. Applications for Hearing are available at any Alberta Registry Agent and must be submitted directly to the ATSB. Associated costs for the Application for Hearing are \$125 for a written hearing or \$250 for an in-person hearing. Alberta Registry Agents may also charge a service fee. For further information on the appeal process, please contact the ATSB (contact information below) or to purchase an Application for Hearing, please visit any authorized Alberta Registry Agent.

For all inquiries in regards to Alberta Zero Alcohol/Drug Tolerance Program Suspension appeals, please contact the ATSB – North or South Region:

North Region

Toll Free (in Alberta) by dialing 310-0000
Telephone: 780-427-7178 Fax: 780-422-9739
Main Floor, Twin Atria Building
4999 – 98 Avenue NW
Edmonton AB T6B 2X3

Website: www.atsb.alberta.ca

South Region

Toll Free (in Alberta) by dialing 310-0000
Telephone: 403-297-3466 Fax: 403-297-4139
Suite 302 Willow Park Centre
10325 Bonaventure Drive SE
Calgary AB T2J 7E4

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