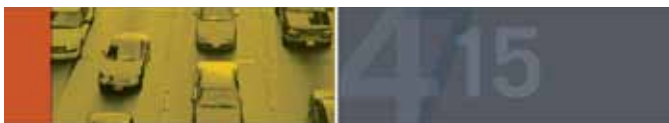


Demerit Points

PENALTY



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.

Penalty

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 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your bracket, the SAAQ informs you in writing that your learner's licence, probationary licence or driver's licence has been revoked.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.

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You are committing an offence if you drive while your learner's licence, probationary licence or driver's licence has been revoked or if your right to obtain one of these licences has been suspended.

On interception:

- your vehicle will be seized and impounded at your expense for **30 days**. If the vehicle does not belong to you, the owner must be advised without delay;
- you are liable to fine of **\$600 à \$2,000***, in addition to court costs.

** In addition to the fine, costs include registry fees, subject to change, set according to the Tariff of court costs in penal matters, as well as a contribution to the crime victim compensation plan provided under the Code of Penal Procedure.*

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* with one of its service centres near the end of the penalty period;
- pass a knowledge test, if applicable;
- pay the test and licence fees.

** If you held a learner's licence at the time of the penalty, go directly to a service centre so that the SAAQ can issue you a new licence.*

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 under age 23 (8 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
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 penalty 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 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

Restricted licence

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

You could qualify if your probationary or driver's licence has been revoked after demerit points are entered on your record.

You cannot qualify if:

- you hold a learner's licence;
- another penalty is in effect, or will soon be in effect, on your driving record;
- during the previous 2 years, following the entry of demerit points or a driving-related offence under the *Criminal Code*:
 - your probationary licence has been revoked;
or
 - your driver's licence has been revoked;
or
 - your right to get one of these licences has been suspended.

To get a restricted licence, you must:

- 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 will apply;
- notify the SAAQ at least ten days before the scheduled hearing date;
- 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 indicated have not been respected. In addition, if you receive another penalty or if you fail to abide by the restricted licence conditions, your licence will be suspended.

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

For more information

By the Internet

www.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, United States)

TDD/TTY



In Montréal: 514 954-7763

Elsewhere in Québec: 1 800 565-7763

By mail

**Service de la gestion des sanctions
des conducteurs**

Société de l'assurance automobile du Québec

C. P. 19500

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.

Version originale française disponible sur demande.



**Société de l'assurance
automobile**

Québec 