

JURISDICTIONAL SURVEY ON DRIVING WHILE IMPAIRED BY DRUGS

British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec
Contact: Barry Burch Tel: 250-661-6265 Fax: 250-661-6626 barry.burch@icbc.com	Contact: Liz Owens Tel: 780-427-6775 Fax: 780-422-3682 liz.owens@gov.ab.ca	Contact: Kwei Quaye Tel: 306-775-6182 Fax: 306-775-6222 kquaye@sgi.sk.ca	Contact: David Grenning Tel: 204-975-1700 Fax: 204-945-0433 dgrenning@jus.gov.mb.ca	Contact: Donna Connelly Tel: 416-235-3616 Fax: 416-235-3633 dconnlley@mto.gov.on.ca	Contact: Johanne St-Cyr Tel: 418-528-3380 Fax: 418-643-0828 johanne.st-cyr@saaq.gouv.qc.ca
Q.1 Does your province or territory have legislation, other than provisions of the CCC, that cover driving while impaired by drugs?					
Motor Vehicle Act, Section 215; 24 hour suspension for suspicion of impairment by drugs	No	No	Section 264 of the Highway Traffic Act suspension applies to conviction under Section 253 of the CCC which includes DWI by drugs	No, but careless driving charge can be applied	No
Q.2 Does your jurisdiction plan specific provision to deal with repeat offenders of driving while impaired by drugs? (More severe penalties, treatment, assessment, etc.)					
No	No	No	No	Yes, provisions of repeat CCC offenders apply to all with repeat impaired driving convictions`	Yes, an assessment is required for a repeat DWI offender or a driver with a drinking, drug or medication problem
Q.3 Does your jurisdiction test for the presence of drugs in (a) drivers killed or in (b) severely injured drivers in accidents?					
a) Yes, for lethal levels, not for impaired levels b)No	a)Yes, systematically b)No	a)Yes, systematically, tests for some 200 drugs b)No	a)Yes, systematically b)No	a)Yes, systematically b)No	a)Yes, systematically b)Yes, on request of the police officer

British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec
Q.4 Do your police officers check for driving while impaired by drugs?					
Yes, not systematically	No, no legal authority/grounds to do so	No	No	Yes, police will stop anyone who appears to be driving while impaired. Even with no signs of alcohol the police will consider laying a CCC charge	No
Q.5 Do your police officers have special training (ex." Drug Recognition expert) in checking for drug use by drivers?					
Yes 200 DRE 800-900 SFST (of 5000 or so)	Yes & no Training is essentially the general impairment recognition. Primarily alcohol related due to limitation of the law.	No, however SGI has funded SFST training for <u>some</u> police officers. We understand that they are using this in the field	No	No, some officers have a special training but this is not common	Yes & no. Training is essentially the general impairment recognition. Primarily alcohol related due to limitations of the law.

British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec
Q.6 Has your jurisdiction set up prevention programs for driving while impaired by drugs? (Advertising campaigns, educational programs, etc.)					
Yes, a few ads only	Yes, AB Pharmaceutical Association awareness program on medication & driving	No	No	One of the requirements of ON's mandatory Remedial Measures Program is that convicted impaired drivers refrain from using alcohol or drugs not prescribed by a doctor on any day they participate in the program. The "Education" component of the program teaches participants about how alcohol & other drugs affect driving performance & safety. The "Treatment" component of the program helps participants learn about & take responsibility for, their alcohol & drug use & its consequences. It also helps them commit to reducing or stopping problem use of alcohol or drugs	No

British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec
Q.7 Have you ever asked for CCC amendments regarding drugs?					
Yes, different groups in BC have different positions. ICBC was neutral	No, however there may be additional requests due to the increasing amounts of drug use	No	No	Yes, MTO appeared before the House of Commons: Ontario would welcome amendments which would provide police better tools, also supported amendments to include a blood demand for drug analysis & extending the limit time for police to conduct tests to 3 hours	Yes, since 1997 the Dept of Justice requests that the CCC be amended
Q.8 Has your jurisdictions conducted studies on driving while impaired by drugs?					
No official institution or gov't based studies by researchers affiliated.	No	No	No	No, MTO research but Centre for Addiction & Medical Health have conducted or sponsored research on the effects of drug use on individuals (general impairment of functions)	Yes, ongoing studies Epidemiological study & responsibility analysis. Working group is currently studying the issue of driving while impaired by drugs

British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec
Q.9 Does your jurisdiction have future plans for dealing with the issue?					
No, nothing specific at this time	Yes, drugs (prescription & illicit) have been increasingly more prevalent. The fact that marijuana is legal for medical purposes suggests to adjust the CCC. AB has included awareness/education information on this topic our website	No, not at this time	Yes, considering the merits of a Winnipeg Police Service proposal to establish a Standard Field Sobriety Test program in Manitoba. The government is awaiting the outcome of a Court of Appeal case before making a decision about whether legislation is needed	Yes, ON is closely monitoring the DRE program implemented in BC with a particular interest in how the courts deal with cases before determining further actions Support federal reviews of CCC amendments to address the subject, including introduction of tools to enable police to more easily enforce the legislation	Yes, Highway Safety code amendments to include drugs in Section 636.1 DRE program Awareness program
COMMENTS:					
	With the aging driver/road user population there will be an increased use/need for individual of prescription drugs. More research to determine the impacts of driving impaired		In MB, drivers who are suspended for impaired driving offences must undergo an alcohol & drug assessment by the Addictions Foundation of MB & complete any required intervention program	Suspension of driving privilege for medical reasons is available where physicians confirms potential impairment due to drug use/dependency	

JURISDICTIONAL SURVEY ON DRIVING WHILE IMPAIRED BY DRUGS

New Brunswick	Prince Edward Island	Nova Scotia	Newfoundland & Labrador	Northwest Territories	Yukon
Contact: Susan McCracken Tel: 506-453-5307 Fax: 506-457-6913 susan.mccracken@gnb.ca	Contact: Charles Easter Tel: 902-368-5265 Fax: 902-368-5236 creaster@gov.pe.ca	Contact: Ken Cogan Tel: 902-424-2520 Fax: 902-424-0772 kcogan@gov.ns.ca	Contact: Geoff Ewing Tel: 709-729-7201 Fax: 709-729-6955 gewing@gov.nf.ca	Contact: Edith Johnston-Ryder Tel: 867-920-3068 Fax: 876-873-0120 Edith_Johnston_Ryder@gov.nt.ca	Contact: Jennie Howie Tel: 867-667-533 Fax: 867-393-6404 jennie.howie@gov.yk.ca
Q.1 Does your province or territory have legislation, other than provisions of the CCC, that cover driving while impaired by drugs?					
No	No	No	No	Yes, Motor Vehicle Act section 116, where an officer on reasonable grounds believe that the ability is adversely affected by alcohol or drugs	Yes, Motor Vehicle Act requires all new drivers in the GDL Program to be both alcohol & drug free. The MVA also requires a co-driver to be both alcohol & drug free.
Q.2 Does your jurisdiction plan specific provision to deal with repeat offenders of driving while impaired by drugs? (More severe penalties, treatment, assessment, etc.)					
No	No	Yes, discussion topic only	No	No	No
Q.3 Does your jurisdiction test for the presence of drugs in (a) drivers killed or in (b) severely injured drivers in accidents?					
a) Yes, systematically b) No	a) Yes, if suspicion b) No	a) Yes, if suspicion b) Yes, if suspicion & BAC #100 mg%	a) Yes b) Yes, if suspicion	a) Yes, systematically b) Yes, if suspicion	a) No b) No

New Brunswick	Prince Edward Island	Nova Scotia	Newfoundland & Labrador	Northwest Territories	Yukon
Q.4 Do your police officers check for driving while impaired by drugs?					
No	Yes, visible signs	Yes, police check for visible signs of impairment regardless of substance	No except for pipeline and drug recognition	Yes, if drug use suspected	Yes
Q.5 Do your police officers have special training (ex." Drug Recognition expert) in checking for drug use by drivers?					
No	No	No	None trained in drug recognition in B Division	No, no courses available in NT	yes
Q.6 Has your jurisdiction set up prevention programs for driving while impaired by drugs? (Advertising campaigns, educational programs, etc.)					
No	Yes, working being done, illicit & prescription	Yes, part of new provincial alcohol assessment program. Periodic education & promotional message on drugs & driving. Note: change as a result of termination of 1 st Offenders Program.	No	No	No
Q.7 Have you ever asked for CCC amendments regarding drugs?					
No	No	No	No	No	No
Q.8 Has your jurisdictions conducted studies on driving while impaired by drugs?					
No	No	No	No	No	No

New Brunswick	Prince Edward Island	Nova Scotia	Newfoundland & Labrador	Northwest Territories	Yukon
Q.9 Does your jurisdiction have future plans for dealing with the issue?					
No	Yes	Yes, ongoing research & studies as part of Road Safety Advisory Ctte.'s commitment to driving under the influence of drugs & alcohol. Note: change as a result of termination of Alcohol Counter Measures Ctte., new Ctte, struck as a result of RSV 2010 targets.	No, not at this time		No
COMMENTS:					
	Identified as a serious safety issue. Provincial Ctte. on Impaired Driving	Impairment issue being addressed by addiction/drug dependency services via a rehabilitation component which is part of the provincial strategy on impaired driving. The issue of medications used by senior drivers is of concern.			

DRE: Drug Recognition Expert

SFST: Standardized Field Sobriety Tests (walk-and-turn, one-leg stand, horizontal gaze nystagmus)