

Summary of Proposals:

Combatting Alcohol and Drug Impaired Driving

- 1. Introduce a lifetime licence suspension, reducible to 25 years, upon conviction of impaired driving causing death** – Currently, MTO applies escalating licence suspensions under the *Highway Traffic Act* based on the number of prior convictions a driver has for impaired driving. However, it does not apply a specific licence suspension for convictions of impaired driving causing death.

This proposal, if passed, would impose an indefinite licence suspension upon conviction for impaired driving causing death under the *Criminal Code*. Individuals would be eligible to apply for licence reinstatement after 25 years, contingent upon completing mandatory rehabilitative programming and other specific remedial requirements set by MTO. The licence reinstatement criteria would be prescribed in supporting regulations.

- 2. Make installation of Ignition Interlock mandatory for all drivers convicted of impaired driving** – Currently, drivers convicted of impaired driving must serve a post-conviction licence suspension before becoming re-licenced with an Ignition Interlock (II) condition. Today, drivers can “sit-out” the II condition period and refrain from driving altogether. Drivers eligible for the *Reduced Suspension with Ignition Interlock Conduct Review Program* can resume driving sooner upon installation of II, resulting in shorter licence suspensions and II condition periods.

MTO is proposing to remove the “sit-out” option and mandate drivers convicted of impaired driving (drugs, alcohol, or a combination of both) to install Ignition Interlock for a prescribed period. The II condition would remain in place until a driver has completed the required period of II installation.

- 3. Introduce a time-limited zero tolerance condition for all drivers convicted of impaired driving** – Currently, upon completion of all post-conviction sanctions, drivers are eligible to resume driving without any conditions on their licence.

This proposal, if passed, would introduce a time-limited zero tolerance condition applicable to the presence of both drugs and alcohol for all drivers convicted of impaired driving. The zero-tolerance condition would commence upon a driver's completion of all their post-conviction sanctions, including the required period of Ignition Interlock installation. The specific duration of the zero tolerance period would be prescribed in supporting regulations.

- 4. Introduce mandatory remedial education for first-time alcohol/drug related occurrences** – The *Highway Traffic Act* imposes immediate roadside sanctions for drug/alcohol related occurrences, including fines, licence suspensions, mandatory remedial education, and Ignition Interlock requirements. Currently, there are no mandatory remedial requirements for first-time occurrences. On the second-time occurrence, an 8-hour education program is mandatory. On the third occurrence, a 16-hour treatment program is mandatory.

MTO is proposing to introduce a mandatory remedial education requirement for first-time drug/alcohol related occurrences and adjust the remedial requirements for a

second-time occurrence to a treatment program. The existing requirement to complete a treatment program on a third occurrence would remain unchanged.

5. **Increase roadside licence suspension lengths for first- and second-time alcohol/drug related occurrences** – Currently, young and novice drivers who violate their zero-tolerance condition as well as drivers who perform poorly on a Standardized Field Sobriety Test or register a Blood Alcohol Concentration at or above 0.05 face an immediate roadside three-day licence suspension for the first occurrence and a seven-day suspension for the second occurrence.

This proposal, if passed, would increase the licence suspension lengths to seven and 14 days for first- and second-time alcohol/drug related occurrences, respectively.

6. **Clarify police authority for detecting impaired driving off the highway** – This proposal, if passed, would clarify police authority to stop vehicles and/or administer tests for impaired driving regardless of whether the vehicle is on or off the highway and to stop vehicles when they have recently left the highway.

7. **Align look back periods for sanctions related to alcohol/drug related occurrences** – A "look back period" refers to the timeframe in which previous alcohol/drug-related occurrences are considered when determining penalties for a subsequent occurrence. Currently, Administrative Monetary Penalties (AMPs) and licence suspensions have a 5 year look back period to determine if they escalate, while Ignition Interlock and remedial education requirements have a 10 year look back period.

This proposal, if passed, would align the look back periods for Administrative Money Penalties (AMPs), licence suspensions, Ignition Interlock, and remedial education to 10 years.

Strengthening Public Safety

8. **Introduce an escalating licence suspension framework upon conviction of motor vehicle theft under section 333.1 of the *Criminal Code* (CC) that includes aggravating factors, such as violence, a weapon, threat, use of force or financial gain, and to provide for licence suspensions for any additional prescribed CC offences related to motor vehicle theft** – Currently, there are no licence suspensions imposed for motor vehicle theft in Ontario.

This proposal, if passed, would make amendments to the *Highway Traffic Act* that would impose the following licence suspensions for individuals convicted of motor vehicle theft:

- First conviction: 10-year suspension
- Second conviction: 15-year suspension
- Third and subsequent convictions: Indefinite suspension

9. **Ensure mandatory minimum licence suspensions for stunt driving** – Currently, courts have the discretion to order a licence suspension following a conviction for stunt driving.

This proposal, if passed, would permit MTO to impose minimum licence suspension lengths of one-year, three-years and indefinitely in respect of a first, second and third or subsequent conviction, respectively, within a 10-year period, rather than the suspension being ordered by the court. However, the court would retain discretion to extend the suspension period for first- and second- time convictions up to the prescribed maximum suspension length.

Enhancing Alternative and Commercial Vehicle Safety

- 10. Improve e-bike safety by categorizing e-bikes into distinct classes with specific operator and vehicle safety requirements** – Currently, a power-assisted bicycle (e-bike) is defined in the *Highway Traffic Act*. It permits e-bikes with a maximum weight of 120kg and includes reference to Transport Canada's since repealed federal definition.

This proposal, if passed, would establish regulation making authority under the *Highway Traffic Act* to allow for e-bikes to be categorized into distinct classes in order to improve safety through specific operator and vehicle safety requirements. MTO would bring forward regulations following further consultation with stakeholders and industry.

- 11. Enhance MTO Transportation Enforcement Officer authorities to oversee and deliver the Commercial Vehicle Enforcement Program (CVEP)** – MTO has identified three key authorities which require inclusion in the *Highway Traffic Act*: exceed posted speed limits when needed for enforcement, require traffic to pull over to the right upon the approach of MTO enforcement vehicles when lights and signals are flashing, and seize fraudulent or suspended drivers' licences.

This proposal, if passed, would provide MTO Transportation Enforcement Officers the authorities outlined above to strengthen their ability to enforce commercial vehicle safety and deliver the Commercial Vehicle Enforcement Program (CVEP).