

The Driver Licensing and Suspension Regulations, 2006

being

Chapter T-18.1 Reg 2 (effective July 1, 2006) as amended by Saskatchewan Regulations [2/2007](#), [72/2007](#), [78/2007](#), [101/2008](#), [42/2009](#), [22/2010](#), [118/2010](#), [23/2011](#), [28/2012](#), [44/2013](#), [41/2014](#), [56/2014](#), [20/2015](#), [45/2015](#), [1/2016](#), [38/2016](#), [48/2016](#), [73/2016](#), [37/2017](#), [83/2017](#), [68/2018](#), [91/2018](#), [14/2019](#), [132/2020](#), [116/2021](#), [73/2022](#) and [7/2024](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER T-18.1 REG 2

The Traffic Safety Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Driver Licensing and Suspension Regulations, 2006*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Traffic Safety Act*;
- (b) **“addictions counsellor”** means a person who:
 - (i) is employed as an addictions counsellor by a regional health authority governed by *The Regional Health Services Act*;
 - (ii) is working as an addictions counsellor under contract to a regional health authority governed by *The Regional Health Services Act*; or
 - (iii) in the opinion of the administrator, is qualified to provide services as an addictions counsellor;
- (c) **“bus”** means a vehicle that has a seating capacity of more than 15 passengers;
- (d) **“child”**, with respect to an individual, includes:
 - (i) another individual to whom the individual stands in the place of a parent; and
 - (ii) another individual for whose support an individual was, at the relevant date for the purposes of these regulations, liable pursuant to any Act or Act of the Parliament of Canada;
- (e) **“class 1 motor vehicles”** means:
 - (i) power unit and semi-trailer combinations;
 - (ii) trucks, other than two-axle trucks that are registered as Class F, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed exceeds 4 600 kilograms; and
 - (iii) buses or motor homes when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed exceeds 4 600 kilograms;

- (f) **“class 2 motor vehicles”** means buses that have a seating capacity of more than 24 passengers, when transporting passengers;
- (g) **“class 3 motor vehicles”** means:
 - (i) trucks with more than two axles, other than trucks registered as Class F;
 - (ii) trucks mentioned in subclause (i), when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms; and
 - (iii) power units with more than two axles, when not towing a trailer;
- (h) **“class 4 motor vehicles”** means:
 - (i) buses that have a seating capacity of not more than 24 passengers, when transporting passengers;
 - (ii) vehicles registered in Class PT;
 - (iii) vehicles registered in Class PB or PC:
 - (A) when transporting not more than 24 passengers for hire; and
 - (B) when not used exclusively to transport passengers with a disability and any attendants to those passengers;
 - (iv) ambulances, when being used for hire;
- (i) **“class 5 motor vehicles”** means:
 - (i) vehicles with not more than two axles that are not class 1, 2, 3 or 4 motor vehicles or motorcycles;
 - (ii) trucks with two axles registered as Class F, when towing any vehicle;
 - (ii.1) three-wheeled vehicles as defined in the *Motor Vehicle Safety Regulations* (Canada) C.R.C., c. 1038;
 - (iii) trucks with two axles, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms;
 - (iv) trucks with more than two axles registered as Class F;
 - (v) trucks with more than two axles registered as Class F, when towing a vehicle or vehicles where the combined gross weight of the vehicles being towed does not exceed 4 600 kilograms;
 - (vi) buses, when not carrying passengers;
 - (vii) vehicles registered in Class PB or PC:
 - (A) when transporting not more than 24 passengers for hire; and
 - (B) when used exclusively to transport passengers with a disability and any attendants to those passengers;

- (viii) motor homes with three axles;
 - (ix) public service vehicles used in the operation of a taxi service, when not being used for hire;
 - (x) ambulances, when not being used for hire;
 - (xi) vehicles used by a law enforcement agency; and
 - (xii) any vehicle registered as a school bus, with or without passengers;
- (i.1) **“class 7 motor vehicles”** means golf carts;
- (j) **“disability”** means, with respect to a person:
- (i) a loss of function of lower limbs that requires the person to use a mobility aid;
 - (ii) a physical or mental impairment, of a permanent or temporary nature, that requires the person to use a mechanical aid, including a walker or crutches;
 - (iii) a physical impairment, including the effects of aging, that causes the person to be unstable or to have difficulty when walking; or
 - (iv) a physical restriction or condition that makes walking a further risk to the person’s health;
- (k) **“driver training school”** means a driver training school that is the holder of a driver training school certificate issued pursuant to *The Driver Training Regulations, 1986*;
- (l) **“DWI course”** means a Driving Without Impairment course of studies approved by the administrator;
- (m) **“fees regulations”** means *The Traffic Safety Act Fees Regulations*;
- (m.1) **“golf cart”** means a golf cart as defined in *The Registration Exemption and Reciprocity Regulations, 2014*;
- (n) **“ignition interlock device”** means a device approved by the administrator that:
- (i) is installed in a vehicle; and
 - (ii) is designed to measure the concentration of alcohol in the driver’s blood;
- (o) **“ignition interlock program”** means a program that enables a driver to operate a motor vehicle with an ignition interlock device subject to the terms and conditions set out in sections 39 to 41;
- (p) **“immediate family”**, with respect to an individual, means the individual’s:
- (i) spouse;
 - (ii) child;

- (iii) parent;
- (iv) brother or sister; or
- (v) grandmother or grandfather;

(p.1) **“imposed restrictions”** means any restrictions placed or imposed by the administrator on a driver’s licence pursuant to section 38 of the Act or these regulations;

(p.2) **“learner’s licence”** means a licence described in subsection 12(2);

(q) **“medical report”** means a medical report described in clause 42(1)(b) of the Act;

(r) **“new driver”** means a driver described in subsection (2);

(s) **“parent”** means:

- (i) the mother or the father of a child;
- (ii) a person to whom custody of a child has been granted by a court of competent jurisdiction or by a custody agreement; or
- (iii) a person with whom a child resides and who stands in the place of a parent to the child;

(t) **“passenger”** does not include:

- (i) the driver of a vehicle;
- (ii) a mechanic who is present for the purpose of testing or inspecting the vehicle;
- (iii) a driver examiner; or
- (iv) if the driver of a vehicle is a learner, a person licensed to drive the vehicle who is present for the purpose of supervising the learner;

(t.1) **“power-assisted bicycle”** means a power-assisted bicycle as defined in the *Motor Vehicle Safety Regulations*, C.R.C., c.1038;

(u) **Repealed.** 4 Jly 2014 SR 56/2014 s3.

(v) **“registered”**, for the purposes of clauses (e), (g), (h) and (i) and subsection 11(2), means registered pursuant to the Act;

(w) **“restricted driver’s licence”** means a driver’s licence that has been restricted by the administrator, and includes a driver’s licence mentioned in subsection 39(1) or section 42;

(x) **“seating capacity”** means the maximum number of adult persons that can be seated in a vehicle when all seats for passengers are occupied;

- (y) “**spouse**”, with respect to an individual, means:
- (i) the legally married spouse of the individual; or
 - (ii) if the individual does not have a spouse within the meaning of subclause (i), another individual with whom the individual is cohabiting and has cohabited as spouses:
 - (A) continuously for a period of not less than two years; or
 - (B) continuously for a period of not less than one year, if they are parents of a child.
- (2) For the purposes of these regulations and the Act, “**new driver**” means:
- (a) the holder of a class 7 driver’s licence;
 - (b) the holder of a class 1 to 5 driver’s licence with a “6” endorsement, when operating a motorcycle;
 - (c) the holder of a class 1 to 5 driver’s licence with an “M” endorsement and a novice 1 or novice 2 restriction noted on the driver’s licence, when operating a motorcycle;
 - (d) the holder of a class 5 driver’s licence with a novice 1 or novice 2 restriction noted on the driver’s licence;
 - (e) the holder of a restricted or provisional driver’s licence;
 - (f) the holder of a licence issued by another jurisdiction that is the equivalent of a driver’s licence described in clauses (a) to (c); or
 - (g) a person who does not hold a current driver’s licence and has not held a current driver’s licence in the past five years.
- (3) For the purposes of section 283 of the Act, a “**duly qualified medical practitioner**” or “**medical practitioner**” means:
- (a) a person who is registered pursuant to *The Medical Profession Act, 1981*, other than a person registered pursuant to section 42.1 of that Act, and whose registration is not under suspension;
 - (b) a person who is a member in good standing of the Saskatchewan College of Psychologists pursuant to *The Psychologists Act, 1997*;
 - (c) a registered nurse who is entitled, pursuant to *The Registered Nurses Act, 1988*, to practise in the nurse practitioner category; or
 - (d) a person who is a member in good standing of the Saskatchewan Society of Occupational Therapists pursuant to *The Occupational Therapists Act, 1997*.
- (4) For the purposes of section 214 of the Act and in these regulations, “**contest**” or “**race**” includes any circumstance in which one or more persons engage in any or all of the following driving activities:
- (a) driving two or more motor vehicles at a rate of speed that is a marked departure from the applicable speed limit and in a manner that indicates the drivers of the motor vehicles are engaged in a competition;

- (b) driving a motor vehicle in a manner that indicates an intention to chase another vehicle;
 - (c) driving a motor vehicle in a manner that may endanger any person or interfere with other users of a highway by:
 - (i) driving a motor vehicle at a rate of speed that is a marked departure from the applicable speed limit;
 - (ii) outdistancing or attempting to outdistance one or more other vehicles while driving at a rate of speed that is a marked departure from the applicable speed limit; or
 - (iii) driving at a rate of speed that is a marked departure from the applicable speed limit while repeatedly changing lanes in close proximity to other vehicles so as to impede the normal and reasonable movement of traffic, except when necessary for the safe operation of the motor vehicle.
- (5) For the purposes of section 214 of the Act and in these regulations, “**stunt**” includes a circumstance in which one or more persons engage in any or all of the following driving activities:
- (a) driving a motor vehicle in a manner that causes or is likely to cause some or all of its tires to lift from the surface of a highway, including driving a motorcycle with only one wheel in contact with the ground, but not including the use of lift axles on commercial motor vehicles;
 - (b) driving a motor vehicle in a manner that causes or is likely to cause some or all of the tires of the motor vehicle to lose traction with the surface of a highway while turning;
 - (c) driving a motor vehicle in a manner that causes or is likely to cause the motor vehicle to spin or circle;
 - (d) driving a motor vehicle for a period that is longer than reasonably required to pass another vehicle in a traffic lane, portion of a traffic lane or other portion of a highway intended for use by oncoming traffic;
 - (e) driving two or more motor vehicles side by side or in proximity to each other on a highway:
 - (i) in a manner that impedes other vehicles from passing;
 - (ii) in a manner that impedes the normal and reasonable movement of traffic; or
 - (iii) in a manner that otherwise interferes with other users of a highway;
 - (f) driving a motor vehicle with a person in the trunk of the motor vehicle;
 - (g) driving a motor vehicle while:
 - (i) the driver is not sitting in the driver’s seat; or
 - (ii) the driver is not in control of the motor vehicle;

- (h) without reasonable cause, driving a motor vehicle in a manner that may endanger any person or interfere with other users of a highway by:
 - (i) driving a motor vehicle in a manner that impedes or is likely to impede another vehicle from passing;
 - (ii) stopping or slowing down a motor vehicle in a manner that:
 - (A) interferes with or impedes the normal and reasonable movement of another vehicle by cutting off its passage on a highway; or
 - (B) causes another vehicle to stop or slow down in circumstances where the other vehicle would not ordinarily do so;
 - (iii) driving a motor vehicle in a manner that indicates an intention to drive as close as possible to another vehicle, a pedestrian or an object on or near a highway;
 - (iv) making a left turn if:
 - (A) the driver is stopped at an intersection controlled by a traffic control signal and is facing a red light;
 - (B) at least one vehicle facing the opposite direction as the driver mentioned in paragraph (A) is similarly stopped at the red light; and
 - (C) the driver executes the left turn immediately before or after the traffic control signal shows a green light in both directions and in a manner that indicates an intention to complete or attempt to complete the left turn before the vehicle facing the opposite direction is able to proceed straight through the intersection in response to the green light facing that vehicle.
- (6) For the purposes of subsection (4), “**marked departure from the applicable speed limit**” means a rate of speed greater than the applicable speed limit mentioned in subsection 199(1) of the Act that may limit the ability of a driver of a motor vehicle to safely adjust to changing circumstances on a highway.
- (7) Notwithstanding subsection (4), a race or contest does not include:
 - (a) a contest, show or race on a track or other location, other than a highway, temporarily or permanently closed to all other traffic; or
 - (b) with the written approval of the administrator, a contest, show, or race held at a location that encompasses a highway or portion of a highway that is closed to all other traffic.
- (8) Notwithstanding subsections (4) and (5), a race, contest or stunt does not include any driving activity required for the lawful operation of an emergency vehicle.
- (9) For the purposes of clauses (5)(a), (b) and (c), a stunt does not include any circumstance where the driving activity results from environmental conditions and the driver is operating the motor vehicle in a manner that is otherwise reasonable and safe in the circumstances.

PART II
Driving Authority and Restrictions

Class 1 driver's licences

3 Subject to any imposed restrictions on a class 1 driver's licence, the holder of the class 1 driver's licence may operate:

- (a) classes 1, 2, 3, 4, 5 and 7 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4; 4 Jly 2014 SR
56/2014 s4.

Class 2 driver's licence

4 Subject to any imposed restrictions on a class 2 driver's licence, the holder of the class 2 driver's licence may operate:

- (a) classes 2, 3, 4, 5 and 7 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4; 4 Jly 2014 SR
56/2014 s5.

Class 3 driver's licence

5 Subject to any imposed restrictions on a class 3 driver's licence, the holder of the class 3 driver's licence may operate:

- (a) classes 3, 4, 5 and 7 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4; 4 Jly 2014 SR
56/2014 s6.

Class 4 driver's licence

6 Subject to any imposed restrictions on a class 4 driver's licence, the holder of the class 4 driver's licence may operate:

- (a) classes 4, 5 and 7 motor vehicles; and
- (b) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

7 Sep 2007 SR 78/2007 s4; 4 Jly 2014 SR
56/2014 s7.

Class 5 driver's licence

7(1) Subject to any imposed restrictions on a class 5 driver's licence, the holder of the class 5 driver's licence may operate:

- (a) classes 5 and 7 motor vehicles;
 - (b) an emergency vehicle mentioned in clause 238(1)(e) of the Act but only if the holder of the class 5 driver's licence has successfully completed a driving course approved by the administrator for the operation of emergency vehicles;
 - (c) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement;
 - (d) a taxi, limousine or vehicle as part of a vehicle-for-hire service, as defined in *The Vehicles for Hire Act*, but only if the holder of the class 5 driver's licence meets the requirements of *The Vehicles for Hire Act* and the regulations made pursuant to that Act; and
 - (e) a class PB motor vehicle with a seating capacity of not more than 10 passengers, but only if the holder of the class 5 driver's licence meets the requirements of *The Vehicles for Hire Act* and the regulations made pursuant to that Act.
- (2) No class 5 driver's licence permits its holder to operate a vehicle that is transporting more than 12 passengers unless the holder is at least 18 years of age and the class 5 driver's licence does not have a novice 1 or novice 2 restriction noted on the driver's licence.
- (3) No class 5 driver's licence permits its holder to operate a right-hand drive vehicle if that driver's licence has a novice 1 or novice 2 restriction noted on the driver's licence.

1 May 2009 SR 42/2009 s2; 4 Jly 2014 SR
56/2014 s8; 14 Dec 2018 SR 91/2018 s2; 24 Dec
2020 SR 132/2020 s3.

Holder of European driver permit may operate class 5 motor vehicles

8(1) In this section, "**European driver permit**" means a valid driving permit that is:

- (a) issued to a person by a member state of the European Union; and
 - (b) recognized by all member states of the European Union.
- (2) The holder of a European driver permit may operate class 5 motor vehicles.

7 Jly 2006 eT-18.1 Reg 2 s8.

Class 7 driver's licence

9(1) Subject to subsections (1.1) and (1.2) and any imposed restrictions on a class 7 driver's licence, the holder of a class 7 driver's licence may operate:

- (a) a golf cart;
- (b) a class 5 motor vehicle as a learner; and
- (c) any other vehicles that the holder of the driver's licence is entitled to operate by virtue of an endorsement placed by the administrator on the driver's licence, subject to the terms and conditions of the endorsement.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

- (1.1) The holder of a class 7 driver's licence may not operate a three-wheeled vehicle.
- (1.2) The holder of a class 7 driver's licence may not operate a right-hand drive vehicle.
- (2) No holder of a class 7 driver's licence shall:
- (a) transport passengers in a vehicle other than immediate family members between the hours of 12:00 a.m. and 5:00 a.m. each day;
 - (b) when operating a vehicle with a rear seat, transport any passenger in the front seat other than the accompanying and supervising driver; or
 - (c) transport more passengers than there are seat belts in the vehicle.
- (3) If there is no seat-belt assembly in the vehicle, the holder of a class 7 driver's licence shall not transport more than three passengers in the vehicle in addition to the accompanying and supervising driver.
- (4) A class 7 driver's licence held by a person who is 15 years of age remains valid only if the person is enrolled or registered in or has completed a high school driver training program that is under the direction of the Government of Saskatchewan.

4 Jly 2014 SR 56/2014 s9; 17 Jne 2016 SR
38/2016 s4; 24 Dec 2020 SR 132/2020 s4.

Classes for snowmobiles

- 10(1)** In this section:
- (a) **“accompanied and supervised”** means accompanied and supervised as defined in *The Snowmobile Regulations, 1998*;
 - (b) **“snowmobile”** means a snowmobile as defined in *The Snowmobile Act*.
- (2) The holder of a class 1, 2, 3, 4 or 5 driver's licence may operate a snowmobile.
- (3) Subject to *The Snowmobile Act* and subsection (4), the holder of a class 7 driver's licence may operate a snowmobile that is required to be registered but only if the holder of the class 7 driver's licence is:
- (a) accompanied on the snowmobile by the holder of a class 1, 2, 3, 4 or 5 driver's licence; or
 - (b) accompanied and supervised by the holder of a class 1, 2, 3, 4, or 5 driver's licence operating another snowmobile.
- (4) For the purposes of accompanying or supervising the holder of a class 7 driver's licence on a snowmobile, the holder of a class 5 driver's licence must not be the holder of a class 5 driver's licence with a novice 1 or novice 2 restriction.

7 Jly 2006 cT-18.1 Reg 2 s10.

Other restrictions

11(1) Subject to subsection (2), no driver's licence permits its holder to operate a motor vehicle that is equipped with air brakes unless the licence bears the endorsement "A".

(2) Subsection (1) does not apply to a person operating a class 5 motor vehicle that is registered as Class F.

(3) **Repealed.** 4 Jly 2014 SR 56/2014 s10.

(4) No driver's licence permits its holder to operate a Class PS motor vehicle or a Class PB school bus when it is being used for the transportation of more than 15 students to and from a school unless the licence bears a school bus endorsement.

(5) **Repealed.** 4 Jly 2014 SR 56/2014 s10.

(5.1) Subject to subclause 2(1)(i)(ii), no Class 2, 3, 4, 5 or 7 driver's licence permits its holder operate a truck that is towing a vehicle or combination of vehicles where the combined gross weight of the vehicles being towed is in excess of 4 600 kilograms unless the licence bears an endorsement permitting the holder of the licence to do so.

(6) A class 7 licence held by a person who is 15 years of age remains valid only if the person is enrolled in or has completed a high school driver training program that is under the direction of the Government of Saskatchewan.

(7) **Repealed.** 4 Jly 2014 SR 56/2014 s10.

(8) No person is eligible to be issued a class 1, 2, 3 or 4 driver's licence unless he or she is at least 18 years of age.

(9) No new driver is eligible to be issued:

- (a) a class 1, 2, 3, or 4 driver's licence; or
- (b) a class 1, 2, 3 or 4 endorsement on his or her driver's licence.

(9.1) No person is eligible to be issued a class 1 driver's licence unless that person has successfully completed a class 1 driver training program approved by the administrator.

(9.2) For the purposes of an offence pursuant to subsection 32(1) of the Act, a person who holds a class 7 driver's licence or a class 5 driver's licence with a novice 1 or novice 2 restriction may not operate a right-hand drive vehicle.

(10) The administrator shall not provide the following persons with a school bus endorsement:

- (a) a new driver;
- (b) a person whose habits or conduct, in the opinion of the administrator, make that person's operation of a school bus a source of danger to the public;
- (c) a person under the age of 18 years.

(11) No driver's licence permits its holder to operate a motorcycle unless a "6" or an "M" endorsement has been placed on the driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s11; 24 Aug 2007 SR 72/2007 s4; 7 Nov 2008 SR 101/2008 s4; 20 May 2011 SR 23/2011 s3; 6 Jne 2014 SR 41/2014 s3; 4 Jly 2014 SR 56/2014 s10; 5 May 2017 SR 37/2017 s3; 15 Mar 2019 SR 14/2019 s2; 24 Dec 2020 SR 132/2020 s5.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

No driver's licence required

11.1 Subject to the vehicles' meeting any other equipment or operating requirements that are set out in the Act or the regulations made or continued pursuant to the Act, the following vehicles may be operated on a highway and the driver of any of those vehicles is exempt from the requirement to hold a driver's licence:

- (a) a fire engine or a fire department apparatus, including a command bus, water truck or any other vehicle used to support firefighting at the scene of a fire;
- (b) a self-propelled farm implement;
- (c) a power-assisted bicycle;
- (d) a special mobile machine;
- (e) a motor vehicle being towed for sale, storage or repair;
- (f) a vehicle that crosses the highway if:
 - (i) the driver stops the vehicle before entering onto the highway;
 - (ii) the driver yields the right of way to all other vehicles and persons on the highway; and
 - (iii) the vehicle crosses the highway by the most direct route;
- (g) a mobility aid.

4 Jly 2014 SR 56/2014 s11; 5 Nov 2021 SR 116/2021 s4.

Restrictions on holders of class 7 driver's licences

12(1) For the purposes of section 32.1 of the Act and this section, **“accompanied and supervised”** means the driver is accompanied by another person who:

- (a) is a qualified and authorized driver who meets the qualifications set out in clause (3)(a), subsection (4) or subsection (5) as the circumstances require;
 - (b) is at all times conscious and capable of lawfully assuming control of the vehicle; and
 - (c) occupies the seat that:
 - (i) is nearest the person holding the learner's licence; and
 - (ii) is, other than the driver's seat, nearest to the controls of the vehicle.
- (2) The following persons are deemed to be holders of a learner's licence:
- (a) the holder of a class 7 driver's licence while operating a motor vehicle other than a golf cart;
 - (b) the holder of a class 5 driver's licence bearing an endorsement “1”, “2”, “3” or “4” who is operating a class 1, 2, 3 or 4 vehicle;

- (c) the holder of a class 4 driver's licence bearing an endorsement "1", "2" or "3" who is operating a class 1, 2 or 3 vehicle;
 - (d) the holder of a class 3 driver's licence bearing an endorsement "1" or "2" who is operating a class 1 or 2 vehicle;
 - (e) the holder of a class 2 driver's licence bearing an endorsement "1" who is operating a class 1 vehicle;
 - (f) a person operating a motor vehicle equipped with air brakes if that person is not the holder of a valid driver's licence with an "A" endorsement.
- (3) The following persons:
- (a) may accompany and supervise a class 7 driver:
 - (i) the holder of a valid class 1, 2, 3, 4 or 5 driver's licence who has held a driver's licence for at least 365 days in the preceding three years;
 - (ii) the holder of the equivalent of a class 5 or greater driver's licence, issued to that driver from another jurisdiction in Canada or the United States of America if that person has held a class 5 driver's licence or the equivalent driver's licence for at least 365 days in the preceding three years;
 - (b) shall not accompany and supervise a class 7 driver:
 - (i) the holder of a class 7 driver's licence;
 - (ii) the holder of a class 5 driver's licence with a novice 1 or novice 2 restriction;
 - (iii) a resident of another jurisdiction who holds the equivalent of a licence mentioned in subclause (i) or (ii).
- (4) The following persons may accompany and supervise the holder of a class 5 driver's licence bearing an endorsement "1", "2", "3" or "4" who is operating a class 1, 2, 3 or 4 vehicle:
- (a) the holder of a driver's licence who has held a driver's licence for 365 days in the preceding three years that permits that person to operate the class of motor vehicle being operated by the holder of a class 5 driver's licence bearing an endorsement "1", "2", "3" or "4";
 - (b) the holder of the equivalent of a driver's licence that permits that person to operate the class of motor vehicle being operated by the class 5 driver bearing an endorsement "1", "2", "3" or "4" if that licence has been issued by another jurisdiction in Canada or the United States of America and that person has held that type of driver's licence for at least 365 days in the preceding three years.
- (5) A person with a class 1, 2, 3, 4 or 5 driver's licence with an "A" endorsement may accompany and supervise a driver without an "A" endorsement if the driver without the "A" endorsement is operating the class of motor vehicle that he or she is entitled to otherwise operate.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

Eligibility for class 5 driver's licence

13(1) No new driver is eligible to be issued a class 5 driver's licence unless he or she:

- (a) is at least 16 years of age;
- (b) files with the administrator a medical report whenever requested by the administrator; and
- (c) has held a class 5 driver's licence with a novice 2 restriction for at least 365 days before being eligible for a class 5 driver's licence.

(2) Subject to subsection (4), the following rules apply for the purpose of calculating when the holder of a class 5 driver's licence with a novice 2 restriction has held that licence for 365 days:

- (a) the first day of the holder's 365-day period is to be the day the holder applies for and receives a class 5 driver's licence with a novice 2 restriction;
- (b) the calculation of the 365 days is to stop if, at any time during the period the holder holds the class 5 driver's licence with a novice 2 restriction, any of the following occurs:
 - (i) the holder is determined by the administrator to be at least 50% at fault for an accident;
 - (ii) the holder is convicted of an offence pursuant to the Act or a predecessor Act;
 - (iii) the holder is convicted of an offence pursuant to subsection 219(1), section 220, 221 or 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
 - (iv) the holder is convicted of an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*;
 - (v) subject to subsection (5), the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations.

(3) If the calculation of the 365-day period is stopped pursuant to subsection (2):

- (a) the holder is deemed not to have previously held a class 5 driver's licence with a novice 2 restriction; and
- (b) the calculation of the 365-day period must begin again with the first day of the holder's 365-day period being the day following the latest of the following:
 - (i) the date of the holder's conviction;
 - (ii) the date of the accident; and
 - (iii) if the holder's driver's licence is subject to a suspension or the holder is disqualified from driving a motor vehicle on a highway, the date the driver's licence is reinstated or the period of disqualification ends.

(4) The calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence if any of the following circumstances occurs:

(a) if the holder's driver licence is not suspended or the holder is not disqualified from driving a motor vehicle on a highway and the holder has failed to renew his or her driver's licence;

(b) if the holder is prohibited from renewing his or her driver's licence pursuant to clause 41(e), (f), (g), (i), (j), (k), (l), (q), (r) or (s) or section 52 of the Act.

(5) If a holder's driver's licence is suspended pursuant to clause 41(h) or (n) or 48(2)(a), (a.1), (d), (e) or (f), subsection 52(2.1) or section 135 of the Act:

(a) subsection (2) is not to apply to the calculation of the holder's 365-day period; and

(b) calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s13; 20 May 2011 SR 23/2011 s5; 2 Apr 2015 SR 20/2015 s3; 21 Sep 2018 SR 68/2018 s3.

Eligibility for class 5 driver's licence with a novice 2 restriction

14(1) No person is eligible for a class 5 driver's licence with a novice 2 restriction unless he or she:

(a) is at least 16 years of age;

(b) files with the administrator a medical report whenever requested by the administrator; and

(c) has held a valid class 5 driver's licence with a novice 1 restriction for at least 183 days before being eligible to apply for a class 5 driver's licence with a novice 2 restriction.

(2) For the purposes of clause (1)(c), when calculating the number of days a holder has held a valid class 5 driver's licence with a novice 1 restriction, the administrator shall not include in the calculation any period during which:

(a) the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations;

(b) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to subsection 219(1), section 220, 221 or 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;

(b.1) the holder is disqualified from driving a motor vehicle on a highway because of a conviction for an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*; or

(c) the holder does not hold a valid driver's licence or has been refused renewal of his or her driver's licence.

7 Jly 2006 cT-18.1 Reg 2 s14; 20 May 2011 SR 23.2011 s6; 2 Apr 2015 SR 20/2015 s4; 21 Sep 2018 SR 68/2018 s4.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

Eligibility for class 5 driver's licence with a novice 1 restriction

15(1) No person is eligible for a class 5 driver's licence with a novice 1 restriction unless he or she:

- (a) is at least 16 years of age;
 - (b) submits to the administrator evidence satisfactory to the administrator of his or her name and age;
 - (c) if he or she is under 18 years of age and has not previously held a driver's licence, submits to the administrator the written consent of one of his or her parents;
 - (d) files with the administrator a medical report whenever requested by the administrator;
 - (e) has passed the vision, sign, road and written or oral tests determined by the administrator for a class 5 licence;
 - (f) has held a valid class 7 driver's licence for at least 274 days before applying for a class 5 driver's licence with a novice 1 restriction; and
 - (g) either:
 - (i) has undergone and successfully completed a high school driver training program that is under the direction of the Government of Saskatchewan; or
 - (ii) has received a minimum of six hours of in-car training and a minimum of six hours of classroom training by a driver instructor as defined in *The Driver Training Regulations, 1986*.
- (2) For the purposes of clause (1)(f), when calculating the number of days a driver has held a class 7 driver's licence, the administrator shall not include in the calculation any period during which:
- (a) the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations;
 - (b) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to subsection 219(1), section 220, 221, 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d), subsections 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
 - (b.1) the holder is disqualified from driving a motor vehicle on a highway because of a conviction for an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*; or
 - (c) the holder does not hold a valid driver's licence or has been refused renewal of his or her driver's licence.

Eligibility for class 7 driver's licence

16 No person is eligible for a class 7 driver's licence unless he or she:

- (a) is either:
 - (i) at least 16 years of age; or
 - (ii) at least 15 years of age and is enrolled in or has completed a high school driver training program that is under the direction of the Government of Saskatchewan;
- (b) if he or she is under 18 years of age and has not previously held a driver's licence, submits to the administrator the written consent of one of his or her parents;
- (c) files with the administrator a medical report whenever requested by the administrator; and
- (d) has passed the vision, sign, and written or oral tests determined by the administrator for a class 7 licence.

7 Jly 2006 cT-18.1 Reg 2 s16.

Limits on holders of class 5 driver's licence with novice 1 restriction

17(1) Subject to subsection (2), the holder of a class 5 driver's licence with a novice 1 restriction shall not transport more than one passenger.

(2) Subject to subsections (3) and (4), the holder of a class 5 driver's licence with a novice 1 restriction may transport:

- (a) more than one passenger if all passengers are members of the driver's immediate family; or
- (b) more than one passenger if he or she is transporting:
 - (i) one passenger other than an immediate family member; and
 - (ii) all other passengers are members of the driver's immediate family.

(3) The holder of a class 5 driver's licence with a novice 1 restriction shall not transport more passengers than there are seat belts in the vehicle.

(4) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver's licence with a novice 1 restriction shall not transport more than four passengers in the vehicle.

7 Jly 2006 cT-18.1 Reg 2 s17.

Limits on holders of class 5 driver's licence with novice 2 restriction

18(1) The holder of a class 5 driver's licence with a novice 2 restriction shall not transport more passengers than there are seat belts.

(2) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver's licence with a novice 2 restriction shall not transport more than four passengers in the vehicle.

7 Jly 2006 cT-18.1 Reg 2 s18.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006**Requirements re endorsements**

19(1) Subject to these regulations, the administrator shall not endorse a driver's licence to authorize the driver to operate a particular type of motor vehicle unless the holder of the driver's licence:

- (a) passes the vision, sign, road and written or oral tests determined by the administrator for the endorsement being sought;
 - (b) files with the administrator a medical report whenever requested by the administrator; and
 - (c) is at least 16 years of age.
- (2) The administrator shall not provide a person with a school bus endorsement unless the person:
- (a) every five years passes the vision, sign, road and written or oral test determined by the administrator for school bus operations; and
 - (b) when requested to do so by the administrator, files with the administrator a medical report as described in clause 42(1)(b) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s19; 24 Aug 2007 SR
72/2007 s6.

Conditions governing issue of replacement temporary driver's licence

19.1(1) In this section, "**new temporary driver's licence**" means a new temporary driver's licence that is issued to replace a temporary driver's licence that was issued pursuant to section 36 of the Act and that has been lost or destroyed.

(2) A new temporary driver's licence is issued subject to the condition that it has the same expiry date as the temporary driver's licence it is replacing.

10 Dec 2010 SR 118/2010 s3.

Eligibility for a "6" endorsement

19.2(1) No person is eligible to have a "6" endorsement placed on his or her driver's licence unless he or she:

- (a) subject to subsection (2), is at least 16 years of age;
- (b) passes the vision, sign and written or oral tests determined by the administrator for the endorsement being sought;
- (b.1) is the holder of a class 1, 2, 3, 4 or 5 driver's licence;
- (c) subject to subsection (1.1):
 - (i) passes a basic skills and abilities test approved by the administrator; or
 - (ii) completes a motorcycle training course acceptable to the administrator; and
- (d) files with the administrator a medical report whenever requested by the administrator to do so.

(1.1) If a person is unable, after three attempts, to successfully pass the basic skills and abilities test required pursuant to subclause (1)(c)(i), that person must complete a motorcycle training program approved by the administrator before he or she is eligible for a “6” endorsement.

(2) No person who is less than 18 years of age is eligible to have a ‘6’ endorsement placed on his or her driver’s licence unless he or she submits to the administrator the written consent of one of his or her parents permitting the person to operate a motorcycle.

(3) If a person who has a “6” endorsement placed on his or her driver’s licence fails to obtain an “M” endorsement with a novice 1 restriction within 730 days after the date that the “6” endorsement was placed on the driver’s licence:

- (a) the administrator shall cancel the “6” endorsement; and
- (b) if the person who had the “6” endorsement intends to obtain a new “6” endorsement, the person shall reapply to the administrator.

(4) For the purposes calculating the number of days a person has had a “6” endorsement placed on his or her driver’s licence, the administrator shall not include in the calculation any period during which:

- (a) the person is disqualified from driving a motor vehicle on a highway, the person’s driver’s licence is suspended or the person’s entitlement to hold a “6” endorsement is suspended pursuant to the Act or these regulations;
- (b) the person is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to subsection 219(1), section 220, 221 or 236, subsection 320.13(1)(2) or (3), paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
- (c) the person is disqualified from driving a motor vehicle on a highway because of a conviction for an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*; or
- (d) the person does not hold a valid driver’s licence or has been refused renewal of his or her driver’s licence.

20 May 2011 SR 23/2011 s8; 6 Jne 2014 SR
41/2014 s4; 2 Apr 2015 SR 20/2015 s6; 17 Jne
2016 SR 38/2016 s5; 21 Sep 2018 SR 68/2018 s6.

Eligibility for an “M” endorsement with novice 1 restriction

19.3(1) No person is eligible to have an “M” endorsement with a novice 1 restriction placed on his or her driver’s licence unless he or she:

- (a) has passed the vision, sign, road and written or oral tests determined by the administrator for the endorsement being sought;
 - (a.1) is the holder of a class 1, 2, 3, 4 or 5 driver’s licence;
- (b) files with the administrator a medical report whenever requested by the administrator to do so; and
- (c) has had a “6” endorsement placed on his or her driver’s licence for at least 365 days.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

(2) For the purposes of clause (1)(c), the following rules apply for the purpose of calculating the number of days that a person has had a “6” endorsement placed on his or her driver’s licence:

- (a) the first day of the person’s 365-day period is to be the day the person applies for and receives the “6” endorsement;
- (b) the administrator shall not include in the calculation any period during which:
 - (i) the person is disqualified from driving a motor vehicle on a highway pursuant to the Act or these regulations;
 - (ii) the person’s “6” endorsement is suspended pursuant to the Act or these regulations;
 - (iii) the person is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to subsection 219(1), section 220, 221 or 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d) or subsection 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
 - (iv) the person is disqualified from driving a motor vehicle on a highway because of a conviction for an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*; or
 - (v) the person does not hold a valid driver’s licence or has been refused renewal of his or her driver’s licence.

20 May 2011 SR 23/2011 s8; 2 Apr 2015 SR
20/2015 s7; 17 Jne 2016 SR 38/2016 s6; 21 Sep
2018 SR 68/2018 s7.

Eligibility for an “M” endorsement with a novice 2 restriction

19.4(1) No person is eligible to have an “M” endorsement with a novice 2 restriction placed on his or her driver’s licence unless he or she:

- (a) files with the administrator a medical report whenever requested by the administrator to do so; and
 - (a.1) is the holder of a class 1, 2, 3, 4 or 5 driver’s licence;
 - (b) has had an “M” endorsement with a novice 1 restriction placed on his or her driver’s licence for at least 365 days.
- (2) For the purposes of clause (1)(b), the following rules apply for the purpose of calculating the number of days that the person has had an “M” endorsement with a novice 1 restriction placed on his or her driver’s licence:

- (a) the first day of the person’s 365-day period is to be the day the person applies for and receives the “M” endorsement with a novice 1 restriction;

- (b) the calculation of the 365 days is to stop if, at any time during the period, any of the following occurs:
- (i) the person is determined by the administrator to be at least 50% at fault for an accident while operating a motorcycle;
 - (ii) the person is convicted of an offence pursuant to the Act while operating a motorcycle;
 - (iii) the person is convicted of an offence pursuant to subsection 219(1), section 220, 221, 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), section 320.16, 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
 - (iv) the person is disqualified from driving a motor vehicle on a highway because of a conviction pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*;
 - (v) subject to subsection (5), the person is disqualified from driving a motor vehicle on a highway, or the person's driver's licence is suspended, pursuant to the Act or these regulations.
- (3) If the calculation of the 365-day period is stopped pursuant to subsection (2):
- (a) the person is deemed not to have previously had an "M" endorsement with a novice 1 restriction placed on his or her driver's licence; and
 - (b) the calculation of the 365-day period must begin again with the first day of the person's 365-day period being the day following the latest of the following:
 - (i) the date of the person is convicted of the offence;
 - (ii) the date that the person is determined to be at least 50% at fault for an accident;
 - (iii) if the person's driver's licence is subject to a suspension or the person is disqualified from driving a motor vehicle on a highway, the date the driver's licence is reinstated or the period of disqualification ends; and
 - (iv) if the person's "M" endorsement with a novice 1 restriction is subject to a suspension, the date the person's "M" endorsement with a novice 1 restriction is reinstated.
- (4) The calculation of the person's 365-day period is to be interrupted until the person once again has a valid "M" endorsement with a novice 1 restriction if any of the following circumstances occurs:
- (a) the person's driver's licence is not suspended or the person is not disqualified from driving a motor vehicle on a highway and the person has failed to renew his or her driver's licence;
 - (b) the person is prohibited from renewing his or her driver's licence pursuant to clause 41(e), (f), (g), (i), (j), (k), (l), (q), (r) or (s) of the Act.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006

(5) If a person's driver's licence is suspended pursuant to clause 41(h) or (n) or 48(2)(a), (a.1), (d), (e) or (f), subsection 52(2.1) or section 135 of the Act:

- (a) subsection (2) is not to apply to the calculation of the person's 365-day period; and
- (b) calculation of the person's 365-day period is to be interrupted until the person once again holds a valid driver's licence.

20 May 2011 SR 23/2011 s8; 2 Apr 2015 SR
20/2015 s8; 17 Jne 2016 SR 38/2016 s7; 21 Sep
2018 SR 68/2018 s8.

Eligibility for an "M" endorsement

19.5(1) No person is eligible to have an "M" endorsement placed on his or her driver's licence unless he or she:

- (a) files with the administrator a medical report whenever requested by the administrator; and
- (a.1) is the holder of a class 1, 2, 3, 4 or 5 driver's licence;
- (b) has had an "M" endorsement with a novice 2 restriction placed on his or her driver's licence for at least 365 days.

(2) For the purposes of clause (1)(b), the rules set out in subsections 19.4(2) to (5) apply, with any necessary modification, for the purpose of calculating the period during which an "M" endorsement with a novice 2 restriction has been placed on a person's driver's licence.

20 May 2011 SR 23/2011 s8; 17 Jne 2016 SR
38/2016 s8.

Limits on the holders of a "6" endorsement

19.6 The holder of a driver's licence with a "6" endorsement shall not, while operating a motorcycle:

- (a) transport any passengers;
- (b) operate a motorcycle between the period commencing one-half hour before sunset and ending one-half hour after sunrise;
- (c) tow a vehicle while operating a motorcycle;
- (d) **Repealed.** 6 Jne 2014 SR 41/2014 s5.
- (e) operate a motorcycle that the holder is not authorized to operate.

20 May 2011 SR 23/2011 s8; 18 May 2012 SR
28/2012 s4; 6 Jne 2014 SR 41/2014 s5.

Limits on the holders of an "M" endorsement with a novice 1 restriction

19.7 The holder of a driver's licence with an "M" endorsement with a novice 1 restriction shall not, while operating a motorcycle:

- (a) transport any passengers;

- (b) operate a motorcycle between the hours of midnight and 5:00 am Central Standard Time;
- (c) tow a vehicle while operating a motorcycle; or
- (d) **Repealed.** 6 Jne 2014 SR 41/2014 s6.
- (e) operate a motorcycle that the holder is not authorized to operate.

20 May 2011 SR 23/2011 s8; 6 Jne 2014 SR
41/2014 s6.

Limits on the holders of an “M” endorsement with a novice 2 restriction

19.8 The holder of a driver’s licence with an “M” endorsement with a novice 2 restriction shall not, while operating a motorcycle:

- (a) tow a vehicle while operating a motorcycle; or
- (b) **Repealed.** 6 Jne 2014 SR 41/2014 s7.
- (c) operate a motorcycle that the holder is not authorized to operate.

20 May 2011 SR 23/2011 s8; 6 Jne 2014 SR
41/2014 s7.

Administrator’s discretion

20 The administrator may waive the requirements of these regulations and may issue a driver’s licence of a class it considers appropriate if the applicant should, in the administrator’s opinion, be issued that licence because of that applicant’s particular driving experience and expertise.

7 Jly 2006 cT-18.1 Reg 2 s20.

20.1 Repealed. 6 Jne 2014 SR 41/2014 s8.

PART III

Actions Concerning Driver’s Licences

Prescribed devices, persons and forms

21(1) For the purposes of section 146, 146.1, 146.2, 148, 149, 150, 150.1 or 150.11 of the Act, an “**approved screening device**” means a device approved by order of the Attorney General of Canada pursuant to the section 320.39 of the *Criminal Code*.

(2) For the purposes of section 149 of the Act:

- (a) the members of the class of persons who may take a sample of breath or bodily substance, other than blood, are peace officers; and
- (b) the members of the class of persons who may take a sample of blood are an evaluating officer, a qualified medical practitioner or a qualified technician, all as defined in section 320.11 of the *Criminal Code*.

21 Sep 2018 SR 68/2018 s9.

Interviews

22 A person may be required pursuant to section 49 of the Act to attend for an interview or an education or safety seminar if:

- (a) he or she is convicted of a contravention of:
 - (i) the Act or a predecessor Act;
 - (ii) a law of any province or territory in Canada or a bylaw of a municipal corporation in Canada that is substantially similar to a provision of the Act;
 - (iii) subsection 219(1), section 220, 221, 236, subsection 320.13(1), (2) or (3), paragraph 320.14(1)(a), (b), (c) or (d) or subsection 320.14(2), (3) or (4), section 320.16, 310.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
 - (iv) an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*;
 - (v) section 130 of the *National Defence Act* (Canada) for having contravened paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4) or section 320.15 of the *Criminal Code*;
 - (v.1) subsection 111(5) of *The Alcohol and Gaming Regulations Act, 1997* on the basis of providing a minor with his or her driver's licence or photo identification card; or
 - (vi) any law of the United States of America that is substantially similar to any of the provisions enumerated in subclause (i) to (v.1);
- (b) he or she is determined to be at least 50% at fault for an accident;
- (c) he or she, as a driver, is the object of a written complaint by:
 - (i) a judge of a court;
 - (ii) a justice of the peace;
 - (iii) a traffic officer designated pursuant to the Act;
 - (iv) a peace officer; or
 - (v) any person considered by the administrator to be a responsible individual;
- (c.1) he or she is the object of a complaint by a person considered by the administrator to be a responsible individual that he or she:
 - (i) allowed another person to use his or her driver's licence or photo identification card;
 - (i.1) used a driver's licence or photo identification card belonging to another person;

- (ii) altered or modified his or her driver's licence or photo identification card; or
- (iii) has in his or her possession a false document that purports to be a driver's licence or photo identification card issued by the administrator; or
- (d) he or she has been the subject of an order of suspension or an order of disqualification made pursuant to section 150 of the Act.

7 Jly 2006 cT-18.1 Reg 2 s22; 20 May 2011 SR 23/2011 s10; 5 Jly 2013 SR 44/2013 s2; 4 Jly 2014 SR 56/2014 s14; 2 Apr 2015 SR 20/2015 s9; 4 Aug 2017 SR 83/2017 s3; 21 Sep 2018 SR 68/2018 s10.

Penalties for drivers

22.1(1) For the purposes of this section and clause 48(2)(c) of the Act:

- (a) **“demerit points”** means the points assigned to an offence as set out in Part II of the Appendix;
 - (b) **“offence”** means:
 - (i) a motor vehicle accident for which the operator is determined to be at least 50% at fault; or
 - (ii) a conviction for an offence set out in Part II of the Appendix;
 - (c) **“operator”** means a Saskatchewan resident who operates a motor vehicle whether or not that person has a valid driver's licence.
- (2) If, within a 730-day period, an operator accumulates at least 18 demerit points, the administrator shall suspend the operator's driver's licence, or refuse to issue a driver's licence to the operator, for a period of 30 days.
- (3) If, within a 730-day period after the administrator suspends an operator's driver's licence or refuses to issue a driver's licence to an operator for 30 days pursuant to subsection (2), an operator accumulates three or more demerit points, the administrator shall suspend the operator's driver's licence, or refuse to issue a driver's licence to the operator, for a period of 90 days.
- (4) If, within a 730-day period after the administrator suspends an operator's driver's licence or refuses to issue a driver's licence to an operator for 90 days pursuant to subsection (3), an operator accumulates three or more demerit points, the administrator shall suspend the operator's driver's licence, or refuse to issue a driver's licence to the operator, for a period of 180 days.
- (5) If, within a 730-day period after the administrator suspends an operator's driver's licence or refuses to issue a driver's licence to an operator for 180 days pursuant to subsection (4), an operator accumulates three or more demerit points, the administrator shall require that operator to attend for an interview pursuant to section 49 of the Act.

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- (6) If, within a 730-day period after the administrator requires an operator to attend for an interview pursuant to subsection (5), an operator accumulates three or more demerit points, the administrator may do all or any of the following:
- (a) refuse to issue a driver's licence to the operator for a maximum of 365 days, as considered appropriate by the administrator;
 - (b) suspend the operator's driver's licence for a maximum of 365 days, as considered appropriate by the administrator;
 - (c) require the operator to attend an education or safety seminar approved by the administrator;
 - (d) impose any terms and conditions on the operator's driver's licence that the administrator considers appropriate.
- (7) The following rules apply for the purpose of calculating the 730-day period mentioned in subsections (2) to (6):
- (a) in the case of subsection (2), the first day of the 730-day period is the day on which the operator receives his or her first demerit point for an offence;
 - (b) in the case of subsections (3) to (6), the first day of the 730-day period is the day on which the operator is entitled to apply for or hold a driver's licence;
 - (c) the calculation of the 730-day period is interrupted if at any time during the period:
 - (i) the operator is prohibited from applying for a driver's licence or the operator's driver's licence is cancelled or suspended; or
 - (ii) the operator fails to renew his or her photo identification or driver's licence;
 - (d) subject to clause (c), each time there are more than 730 days between offences, the administrator shall cease to calculate the 730-day period but the calculation of the 730-day period begins again the next time the operator receives a demerit point for an offence.

30 Jne 2016 SR 48/2016 s2.

Penalties for new drivers

23(1) In this section, section 24 and Part II of the Appendix:

- (a) **“administrative penalty”** means one of the actions that the administrator may require a new driver to take pursuant to this section;
- (b) **“assigned rating”** means the rating assigned to an incident as set out in Part II of the Appendix;
- (c) **“incident”** means:
 - (i) a motor vehicle accident for which the new driver is determined to be at least 50% at fault; or
 - (ii) a conviction for an offence set out in Part II of the Appendix;

- (d) “**insurer**” means the insurer as defined in *The Automobile Accident Insurance Act*;
- (e) “**motor vehicle accident**” means a motor vehicle accident respecting which loss or damage arises on account of which the insurer makes a payment in any amount pursuant to *The Automobile Accident Insurance Act*.
- (2) The administrator shall:
- (a) for a first incident with an assigned rating of 2 points or less, send a warning letter by ordinary mail to a new driver to the last address of the new driver known to the administrator; or
- (b) for a first incident with an assigned rating of 3 to 6 points, require a new driver to attend an education or safety seminar approved by the administrator.
- (3) For the next incident, if any, that occurs after the first incident mentioned in subsection (2):
- (a) if as a result of the first incident the new driver was provided with a warning letter, the administrator shall require the new driver to attend an education or safety seminar approved by the administrator; or
- (b) if as a result of the first incident the new driver was required to attend an education or safety seminar, the administrator shall require the new driver to attend a defensive driving course approved by the administrator.
- (4) For each subsequent incident registered against a new driver after the second incident mentioned in subsection (3), the administrator may impose on the new driver one of the following administrative penalties:
- (a) if the new driver was required to attend an education or safety seminar approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a defensive driving course approved by the administrator;
- (b) if the new driver was required to attend a defensive driving course approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a driver improvement course approved by the administrator;
- (c) if the new driver was required to attend a driver improvement course approved by the administrator as a result of the previous incident, the administrator may suspend the driver’s licence of the new driver for 30 days;
- (d) if the new driver had his or her driver’s licence suspended for 30 days as a result of the previous incident, the administrator may suspend the driver’s licence of the new driver for 90 days;
- (e) if the new driver had his or her driver’s licence suspended for 90 days as a result of the previous incident, the administrator may suspend the driver’s licence of the new driver for 180 days.
- (5) **Repealed.** 26 Aug 2016 SR 73/2016 s3.

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(6) The administrator shall suspend the driver's licence of a new driver who, within 60 days after being advised of his or her obligation to participate in a seminar or course mentioned in this section as part of an administrative penalty, fails to participate in that seminar or course.

(7) If the administrator decides to impose an administrative penalty on a new driver, the administrator shall send a notice of the decision to the new driver by ordinary mail addressed to the last address of the new driver known to the administrator.

7 Jly 2006 cT-18.1 Reg 2 s23; 16 Apr 2010 SR
22/2010 s3; 4 Jly 2014 SR 56/2014 s15; 26 Aug
2016 SR 73/2016 s3.

Appeals to board re administrative penalties

24(1) If as a result of an incident, the administrator imposes an administrative penalty on a new driver, the new driver may appeal to the board respecting the administrator's decision to impose the administrative penalty.

(2) A new driver who wishes to do so shall appeal pursuant to this section on a form, and in the manner, provided by the board.

(3) An appeal to the board does not stay any suspension of the driver's licence of the new driver imposed on the new driver by the administrator.

(4) On an appeal, the board may:

(a) overturn any administrative penalty imposed against the new driver pursuant to section 23, including overturning the suspension of the driver's licence of the new driver; or

(b) impose a different or an additional administrative penalty on the new driver that the board considers appropriate, including suspending the driver's licence of the new driver or reducing or increasing the period of suspension of the driver's licence of the new driver.

(5) If the board overturns the suspension of the driver's licence of a new driver pursuant to subsection (4), the period that the driver is without a licence before the date the suspension is overturned is to be counted as time the new driver held a valid driver's licence for the purposes of clauses 13(1)(c), 14(1)(c), and 15(1)(f).

7 Jly 2006 cT-18.1 Reg 2 s24.

Reinstatement conditions—roadside suspensions

25(1) In this section, "**designated notice**" means:

(a) a notice of suspension issued pursuant to sections 146, 146.1 or 146.2 of the Act and includes a suspension or an order of disqualification issued pursuant to a former provision as defined in section 33; or

(b) a notice of suspension or a notice of immobilization and impoundment issued pursuant to section 150, 150.1 or 150.11 of the Act and includes a suspension or an order of disqualification issued pursuant to a former provision as defined in section 33.

- (2) If a driver has been issued a designated notice and in the 10 years preceding the date of the issuance of the designated notice the driver has not been issued a previous designated notice, the driver shall complete a DWI course.
- (3) If a driver has been issued a designated notice and has been subject to one previous designated notice in the 10 years preceding the date of the issuance of the designated notice, the driver shall complete an educational course approved by the administrator.
- (4) A driver has 120 days after the date the driver is issued a designated notice to complete the required educational courses set out in subsections (2) and (3).
- (5) The administrator shall suspend the driver's licence of a driver who, within 120 days days after being issued a designated notice, fails to complete the required educational courses set out in subsections (2) and (3).

4 Jly 2014 SR 56/2014 s16; 5 May 2017 SR
37/2017 s5; 21 Sep 2018 SR 68/2018 s11.

Reinstatement conditions – roadside suspensions

- 26(1)** If a driver has been convicted of an offence pursuant to subsection 148(2) of the Act and in the 10 years preceding the date of the conviction the driver has not been convicted of an offence set out in that subsection, the driver shall complete a DWI course within 120 days after the conviction.
- (2) If a driver has been convicted of an offence pursuant to subsection 148(2) of the Act and in the 10 years preceding the date of the conviction the driver has been convicted of an offence pursuant to that subsection, the driver shall complete an educational course approved by the administrator within 6 months after the conviction.
- (3) If a driver has been convicted of an offence pursuant to subsection 148(2) of the Act and in the 10 years preceding the conviction the driver has been convicted of 2 or more offences pursuant to that subsection, the driver shall be assessed by an addictions counsellor and complete a program in accordance with subsection 30(5).
- (4) Subject to subsection (5), a driver is not eligible to have the driver's licence reinstated until the driver completes the required course or program set out in subsections (1), (2) and (3).
- (5) Subsection (4) does not apply to a driver who is charged with an offence pursuant to paragraph 320.14(1)(a), (b) or (d) or subsection 320.15(1) of the *Criminal Code* if the person's driver's licence is reinstated pursuant to subsection 148(6) of the Act.
- (6) If a driver mentioned in subsection (5) does not complete the required course or program set out in subsection (1), (2) or (3) within the period set out in that subsection, the administrator may suspend the person's driver's licence.

24 Dec 2020 SR 132/2020 s6.

27 Repealed. 21 Sep 2018 SR 68/2018 s12.

28 Repealed. 4 Jly 2014 SR 56/2014 s16.

29 Repealed. 4 Jly 2014 SR 56/2014 s16.

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30(1) Subject to subsection (3), for the purposes of subsection 141(1) of the Act, the period of disqualification is:

- (a) in the case of a first conviction, the period that ends one year after the date of that conviction;
- (b) in the case of a second conviction, the period that ends three years after the date of that conviction; and
- (c) in the case of a third or subsequent conviction, the period that ends five years after the date of that conviction.

(2) Subject to subsection (3), a resident is eligible to participate in an ignition interlock program if:

- (a) he or she is entitled to participate in an ignition interlock program pursuant to the Act; or
- (b) he or she is convicted of an offence pursuant to paragraph 320.14(1)(a), (b), or (d) or subsection 320.15(1) of the *Criminal Code*.

(3) Subject to subsections (4) to (6), section 26 of these regulations and subsection 148.1(3) of the Act, if a driver is convicted of an offence mentioned in subsection 148(2) of the Act, that driver is eligible to participate in an ignition interlock program:

- (a) immediately after the date on which the driver is convicted, if the driver has not been convicted of an offence pursuant to subsection 320.14(1) or 320.15(1) of the *Criminal Code* in the 10 years preceding the date of the conviction;
 - (b) 3 months after the date on which the driver is convicted of an offence pursuant to subsection 320.14(1) or 320.15(1) of the *Criminal Code*, if the driver has been convicted of 1 offence pursuant to subsection 320.14(1) or 320.15(1) of the *Criminal Code* in the 10 years preceding the date of the conviction; and
 - (c) 6 months after the date on which the driver is convicted of an offence pursuant to subsection 320.14(1) or 320.15(1) of the *Criminal Code*, if the driver has been convicted of 2 or more offences pursuant to subsection 320.14(1) or 320.15(1) of the *Criminal Code* in the 10 years preceding the date of the conviction.
- (4) If a driver is convicted of an offence pursuant to subsection 320.14(2) or (3) or subsection 320.15(2) or (3), the driver is not eligible to participate in an ignition interlock program until the expiry of the court ordered prohibition.

(5) A driver mentioned in subsection 26(3) is not eligible to participate in an ignition interlock program until the driver has been assessed by an addictions counsellor and:

- (a) has successfully completed an education or recovery program recommended by the addictions counsellor and, if the recovery program was recommended, has been assessed by an addictions counsellor to be at low risk for continued impaired driving; or
- (b) if no education or recovery program is recommended by the addictions counsellor, has successfully completed any program that the administrator may direct.

(6) If, before being convicted of an offence pursuant to paragraph 320.14(1)(a), (b) or (d) or subsection 320.15(1) of the *Criminal Code*, the driver is subject to a court ordered prohibition for another offence, the driver is not eligible to participate in an ignition interlock program until the earlier of the following:

- (a) the completion of the period of that court ordered prohibition;
- (b) the date the court orders the driver to participate in the ignition interlock program.

4 Jly 2014 SR 56/2014 s17; 21 Sep 2018 SR 68/2018 s13; 24 Dec 2020 SR 132/2020 s7.

30.1 Repealed. 4 Jly 2014 SR 56/2014 s17.

Documents to be sent to administrator

31 For the purposes of sections 146, 146.1, 146.2, 148, 150, 150.1 and 150.11 of the Act, a peace officer shall forward the following documents to the administrator if those documents are available to the peace officer:

- (a) a copy of the notice of suspension or the notice of immobilization or impoundment;
- (b) a copy of any witness statements;
- (c) a copy of any statements provided by the driver;
- (d) the result of any breath or bodily substance sample obtained from an approved screening device;
- (e) a copy of the Breathalyser or Intoxilyzer check sheet;
- (f) a copy of the prosecutor's information sheet;
- (g) a copy of any notes of the peace officer who was involved in imposing a driver's licence suspension pursuant to section 146, 146.1, 146.2, 148, 150, 150.1 or 150.11 of the Act;
- (h) any other information equivalent to that mentioned in clauses (a) to (g) that is in the possession of the peace officer or the peace officer's police service that concerns the imposition of a driver licence suspension pursuant to section 146, 146.1, 146.2, 148, 150, 150.1 or 150.11 of the Act.

21 Sep 2018 SR 68/2018 s14.

Review of suspension

32 A driver or new driver whose driver's licence has been suspended pursuant to section 146, 146.1, 146.2, 148, 150, 150.1 or 150.11 of the Act may appeal the suspension to the board by:

- (a) applying in writing to the board on a form acceptable to the board; and
- (b) paying the fee set out in the fees regulations.

4 Jly 2014 SR 56/2014 s17; 21 Sep 2018 SR 68/2018 s15.

Report re suspension

33 If an appeal is made to the board pursuant to section 32, the report prepared by the administrator concerning the driver's licence suspension must, as the circumstances require, contain the following information:

- (a) a copy of the driver's abstract indicating if the driver has within the last 10 years been the subject of a suspension pursuant to section 146, 146.1, 146.2, 150, 150.1 or 150.11 of the Act;
- (b) a copy of the driver's abstract indicating if the driver has within the last 10 years been convicted of an offence pursuant to paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4) or subsection 320.15(1), (2) or (3) of the *Criminal Code*.

21 Sep 2018 SR 68/2018 s16.

34 Repealed. 4 Jly 2014 SR 56/2014 s17.

35 Repealed. 4 Jly 2014 SR 56/2014 s17.

Indefinite suspension offences

36 The prescribed offences pursuant to subsection 141(4) of the Act are:

- (a) an offence pursuant to subsection 320.13(1), (2) or (3) of the *Criminal Code*;
- (b) an offence pursuant to subsection 219(1), 220, 221, 236, paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
- (c) an offence pursuant to section 320.15 of the *Criminal Code* for failure or refusal to comply with a demand made pursuant to section 320.27 or 320.28 of the *Criminal Code*;
- (d) an offence pursuant to subsection 140(1) of the Act;
- (e) an offence pursuant to section 130 of the *National Defence Act* (Canada) for having contravened paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4) subsection 320.15(1), (2) or (3) of the *Criminal Code*;
- (f) an offence pursuant to any law of any state of the United States of America that is substantially similar to subsection 219(1), section 220, 221, 236, subsection 320.13(1) to (3), paragraph 320.14(1)(a), (b), (c) or (d), subsection 320.14(2), (3) or (4), subsection 320.15(1), (2) or (3), subsection 320.16(1), (2) or (3), section 320.17 or subsection 320.18(1) of the *Criminal Code*, committed by means of a motor vehicle;
- (g) an offence pursuant to regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act.

7 Jly 2006 cT-18.1 Reg 2 s36; 7 Nov 2008 SR 101/2008 s7; 20 May 2011 SR 23/2011 s11; 4 Jly 2014 SR 56/2014 s18; 2 Apr 2015 SR 20/2015 s10; 21 Sep 2018 SR 68/2018 s17.

Application and waiver—education or treatment

37(1) Subject to subsection 30(3) and section 42, if a driver is convicted of an offence listed in section 36 and his or her driver's licence is revoked, the driver is eligible to apply for a driver's licence only if:

- (a) the driver has served the full period of suspension, prohibition or disqualification pursuant to section 141 of the Act;
 - (b) in the case of a driver who has been convicted of a first or second offence listed in section 36, the driver has completed any education program required by the administrator; and
 - (c) in the case of a driver who has been convicted of a third or subsequent offence listed in section 36, the driver has been assessed by an addictions counsellor and:
 - (i) has completed an education or recovery program recommended by the addictions counsellor; or
 - (ii) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.
- (2) The administrator may waive any requirements set out in subsection (1) in the case of a disqualification arising out of a conviction for an offence:
- (a) pursuant to subsection 140(1) of the Act; or
 - (b) pursuant to the regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act.

4 Jly 2014 SR 56/2014 s19.

Suspension re rules of the road – sections 163.2 and 163.21 of the Act

37.1(1) For the purposes of this section and sections 163.2 and 163.21 of the Act, “**commercial vehicle**” means a commercial vehicle as defined in section 23.1 of *The Vehicle Impoundment (General) Regulations, 2014*.

- (2) For the purposes of section 163.2 of the Act, a peace officer shall suspend the driver from driving if the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:
- (a) for an offence pursuant to subsection 199(2) or (2.2), subsection 209.1(3) or 214(2) of the Act;
 - (b) for an offence pursuant to section 213 of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (i) an offence pursuant to that section or subsection 241.1(2) of the Act; or
 - (ii) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section or subsection 241.1(2) of the Act; or

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- (c) for an offence pursuant to subsection 241.1(2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (i) an offence pursuant to that subsection or section 213 of the Act; or
 - (ii) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection or section 213 of the Act.
- (3) For the purposes of section 163.21 of the Act, a peace officer shall suspend the driver from driving if the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver for an offence pursuant to subsection 199(2) or (2.2) or subsection 214(2) of the Act.
- (4) A notice of suspension issued by a peace officer and served on the driver pursuant to section 163.2 or 163.21 of the Act must meet the requirements set out in section 155.1 of the Act.
- (5) For the purposes of subsection 163.21(2) of the Act, the driver is suspended from driving a motor vehicle for a period of 7 days.

23 Feb 2024 SR 7/2024 s3.

Review of section 280.1 licence suspension

- 37.2(1)** In this section, “**appellant**” means a driver described in subsection (2) who appeals to the board for a review pursuant to this section.
- (2) A driver who has been suspended from driving in the circumstances mentioned in section 37.1 may, during the period of suspension, appeal the driver’s suspension to the board by:
 - (a) applying in writing to the board in a form acceptable to the board; and
 - (b) paying the fee set out in the fees regulations.
- (3) The sole issue before the board on an appeal pursuant to this section is whether the circumstances set out in section 37.1 that authorize a suspension existed.
- (4) If an application is made to the board for an order to terminate the driver’s suspension pursuant to section 163.2 or 163.21 of the Act, the administrator shall prepare a report for the board that must include a copy of the driver’s abstract prepared by the administrator with respect to the driver.
- (5) If the board is satisfied that the driver should not be suspended because the circumstances set out in section 37.1 did not exist, the board shall issue an order to terminate the driver’s suspension and, if the driver’s licence of the driver has been surrendered, direct the administrator to reinstate the driver’s licence.
- (6) The board shall:
 - (a) render a decision in writing within seven days after the date of the hearing; and
 - (b) serve the appellant and the administrator with a written copy of its decision.

- (7) The failure of the board to render a decision within the period mentioned in clause (6)(a) does not affect the jurisdiction of the board to consider or hear the appeal or make a decision with respect to the application.
- (8) A decision of the board is binding on the administrator.

22 Jan 2016 SR 1/2016 s3; 23 Feb 2024 SR
7/2024 s4.

38 Repealed. 4 Jly 2014 SR 56/2014 s19.

Application-ignition interlock program licence

39(1) A person who is eligible to participate in an ignition interlock program may apply to the administrator for a driver's licence if that person:

- (a) agrees to participate in the ignition interlock program; and
 - (b) pays the fees set out in the fees regulations.
- (2) A person is not eligible to participate in an ignition interlock program unless that person has successfully completed, within the specified time, an education or recovery program required by the Act or these regulations.
- (3) On receipt of an application pursuant to this section, if the administrator is satisfied that the applicant is eligible to participate in an ignition interlock program and has complied with this section, the administrator may issue the applicant a driver's licence.
- (4) A driver's licence issued pursuant to this section is a restricted driver's licence and every holder of a licence issued pursuant to this section shall comply with any restrictions the administrator considers necessary and in the public interest.
- (5) Every holder of a licence issued pursuant to this section is responsible to pay all costs associated with the installation, monitoring, servicing and removal of the ignition interlock device in each motor vehicle the holder operates.

4 Jly 2014 SR 56/2014 s20; 24 Dec 2020 SR
132/2020 s8.

Exemption for ignition interlock

39.1(1) In this section, "**ignition interlock service provider**" means a service provider that is contracted by the administrator as an ignition interlock service provider.

(2) For the purposes of subsections 146(11), 146.1(11), 148.1(5), 150(11), 150.1(11) and 150.4(5) of the Act, the administrator may exempt a person from the requirement to participate in an ignition interlock program if it is satisfied that any of the following circumstances exists:

- (a) the person's permanent residence is a minimum of 500 kilometres in any direction from the office of the closest ignition interlock service provider;

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- (b) the ignition interlock service provider is unable to access the person's vehicle from any remote service location operated by the ignition interlock service provider;
 - (c) the person is medically incapable of using an ignition interlock device;
 - (d) the ignition interlock service provider is, for mechanical reasons, unable to install an ignition interlock device in the person's vehicle;
 - (e) the person does not own a vehicle or have access to a vehicle during the ignition interlock period set out in subsection 146(9), 146.1(9), 148.1(2), 150(8.1), 150.1(8.1), or 150.4(2.1) of the Act, as the case may be.
- (3) Notwithstanding subsection (2), the administrator shall not exempt a person from the requirement to participate in an ignition interlock program if:
- (a) the administrator has previously exempted that person from participating in an ignition interlock program;
 - (b) in the case of a conviction pursuant to paragraph 320.14(1)(a), (b) or (d) of the *Criminal Code*, the driver's blood alcohol readings exceed 160 milligrams of alcohol in 100 millilitres of blood;
 - (c) the person has been convicted of an offence pursuant to section 320.15 of the *Criminal Code*; or
 - (d) the person is not a resident of Saskatchewan.
- (4) The administrator may exempt a person from the requirement to participate in an ignition interlock program subject to the following conditions:
- (a) that the driver remains unable to hold or apply for a driver's licence until the greater of the following periods has expired:
 - (i) the period of the court ordered prohibition;
 - (ii) the period of the suspension set out in section 146, 146.1, 148.1, 150, 150.1 or 150.4 of the Act, as the case may be; and
 - (b) either:
 - (i) that the driver remains unable to hold or apply for a driver's licence until 6 months after the latest of the following dates:
 - (A) the date on which the licence suspension expires as set out in clause (a);
 - (B) the date on which the administrator has approved an exemption pursuant to this section;
 - (C) the date on which the ignition interlock period would have expired, as determined by the administrator.

Ignition interlock program

40(1) The administrator may revoke or suspend a restricted driver's licence issued pursuant to section 39 and prohibit the driver from participating in the ignition interlock program if:

- (a) the driver does not comply with the restrictions mentioned in section 39;
- (b) the driver's licence is suspended pursuant to:
 - (i) section 146, 146.1, 146.2, 148, 150 or 150.1 of the Act; or
 - (ii) a law of any other province of Canada or any state of the United States of America that is substantially similar to any section mentioned in subclause (i); or
- (c) the driver is convicted of an offence listed in section 36.

(2) If the holder of a restricted driver's licence does not successfully complete the ignition interlock program or is prohibited from completing the ignition interlock program pursuant to subsection (1):

- (a) the order of prohibition pursuant to the *Criminal Code* respecting the holder is reinstated and has full force and effect as at a date specified by the administrator in a written notice to the holder; and
- (b) the suspension of the driver's licence pursuant to section 141 of the Act respecting the holder is reinstated and has full force and effect as at a date specified by the administrator in a written notice to the holder.

4 Jly 2014 SR 56/2014 s20; 24 Dec 2020 SR
132/2020 s10.

Calculation of ignition interlock period

40.1(1) In this section:

- (a) **“contravention”** means, with respect to a person:
 - (i) the removal by the person or another person on that person's behalf of an ignition interlock device before the end of the ignition interlock period for that person as determined pursuant to subsection (2);
 - (ii) a failure to start the vehicle as a result of the person having a prohibited blood alcohol reading;
 - (iii) any attempt by the person or another person on that person's behalf to circumvent, tamper with or override an ignition interlock device on a vehicle to which the person has access;
 - (iv) any activation by the person or another person on that person's behalf of the emergency override in a non-emergency situation; or
 - (v) a failure of the person to report for the purposes of obtaining readings from, testing or servicing the ignition interlock device as required by the administrator;
- (b) **“conviction”** means a conviction with respect to any offence mentioned in section 320.14 or 320.15 of the *Criminal Code*.

(2) Subject to subsections (3) to (8), the ignition interlock period for a driver is the greater of:

- (a) the period prescribed in the Act; and
- (b) the period of prohibition ordered by the convicting court pursuant to the *Criminal Code*.

(3) For the purposes of calculating the ignition interlock period, the following rules apply:

- (a) the first day the ignition interlock device is installed in a driver's vehicle is deemed to be the first day of the ignition interlock period;
- (b) the calculation of the ignition interlock period stops and will not continue until an ignition interlock device is once again installed in the driver's vehicle if, at any time during the ignition interlock period, any of the following occurs:
 - (i) the driver is disqualified from driving on a highway or the driver's licence is suspended pursuant to the Act or the regulations;
 - (ii) the driver elects to remove the ignition interlock device voluntarily;
 - (iii) the ignition interlock device is temporarily removed as a result of a contravention being registered against the driver.

(4) If a contravention mentioned in subclause (1)(a)(iii) is registered against a driver by the administrator during the period in which the driver is required to participate in an ignition interlock program:

- (a) in the case of a first contravention, the ignition interlock period is extended for a period of three months;
- (b) in the case of a second contravention, the administrator shall:
 - (i) suspend the driver's licence for a period of six months; and
 - (ii) prohibit the driver from participating in the ignition interlock program for a period of six months.
- (c) in the case of a third or subsequent contravention, the administrator shall:
 - (i) suspend the driver's licence for a period of one year; and
 - (ii) prohibit the driver from participating in the ignition interlock program for a period of one year.

(4.1) If a driver's licence is suspended pursuant to clause (4)(b) or (c), the calculation of the ignition interlock period is to be interrupted until:

- (a) the driver is the holder of a valid driver's licence; and
- (b) the driver is participating in the ignition interlock program.

(5) If the driver has not completed three contravention-free months when the ignition interlock period for that driver ends, the ignition interlock period is extended for a further:

- (a) three months; or
- (b) six months in the case of a contravention mentioned in subclause (1)(a)(iii).

(6) If the ignition interlock period for a driver is extended or suspended pursuant to subsection (4) or (5) and the driver commits a further contravention within the extension period, the ignition interlock period:

- (a) is extended:
 - (i) for an additional three months from the date of the last contravention; or
 - (ii) for an additional six months from the date of the last contravention in the case of a contravention mentioned in subclause (1)(a)(iii); and
- (b) is to be extended, each time there is a contravention or series of contraventions registered against the driver in the last extension period, for an additional:
 - (i) three months; or
 - (ii) six months in the case of a contravention mentioned in subclause (1)(a)(iii).

(7) If a driver is subject to subsection (4) or (5), that driver may apply in writing to the administrator on a form approved by the administrator to waive the extension of the ignition interlock period.

(8) Notwithstanding subsection (3), if a driver is participating in an ignition interlock program and the driver's restricted driver's licence is suspended pursuant to sections 146, 146.1, 148, 150, 150.1 or 150.4 of the Act:

- (a) the driver's entitlement to participate in the ignition interlock program terminates until the driver is once again eligible to participate in an ignition interlock program in the manner set out pursuant to section 146, 146.1, 148, 148.1, 150, 150.1 or 150.4 of the Act; and
- (b) the ignition interlock period for the driver is the greater of:
 - (i) the period set out in the Act; and
 - (ii) the period of prohibition ordered by the convicting court if that licence suspension results in a conviction under the *Criminal Code*.

2 Feb 2007 SR 2/2007 s6; 7 Nov 2008 SR
101/2008 s10; 4 Jly 2014 SR 56/2014 s21; 5 May
2017 SR 37/2017 s9; 4 Aug 2017 SR 83/2017 s4;
21 Sep 2018 SR 68/2018 s19; 24 Dec 2020 SR
132/2020 s11.

T-18.1 REG 2 DRIVER LICENSING AND SUSPENSION, 2006**Appeal to the board**

40.2(1) A person may appeal the following decisions of the administrator to the board pursuant to section 29 of the Act:

- (a) a decision to prohibit the person from participating in the ignition interlock program pursuant to subsection 39(1);
 - (b) a decision to extend the ignition interlock period for that person in accordance with section 40.1;
 - (c) a decision to temporarily prohibit the driver from participating in the ignition interlock program pursuant to section 40.1.
- (2) An appeal to the board:
- (a) must be made within 21 days after written notification of the administrator's decision is served on the person; and
 - (b) must be in writing.
- (3) The fee payable for a review is the amount set out in the fees regulations.
- (4) On appeal the board may:
- (a) in the case of an appeal of a decision of the administrator to prohibit a person from participating in the ignition interlock program:
 - (i) uphold the administrator's decision; or
 - (ii) reverse the administrator's decision and allow the person to participate in the ignition interlock program;
 - (b) in the case of an appeal of a decision of the administrator to extend the ignition interlock period for a person:
 - (i) uphold the administrator's decision; or
 - (ii) reverse the administrator's decision and hold that the ignition interlock period is not to be extended for the person; or
 - (c) in the case of an appeal of a decision of the administrator to suspend the driver's licence and temporarily prohibit the driver from participating in an ignition interlock program:
 - (i) uphold the administrator's decision; or
 - (ii) reverse the administrator's decision and allow the driver to continue participating in the ignition interlock program.
- (5) The board has no authority:
- (a) to vary the terms and conditions that the administrator has imposed on a person participating in the ignition interlock program;
 - (b) to alter, increase, shorten or vary the ignition interlock period set out in section 40.1; or
 - (c) to alter, increase, shorten or vary the driver's licence suspension or period of prohibition from participating in the ignition interlock period.

Appeal re exemption

- 40.3(1)** A person may appeal to the board a decision of the administrator to refuse to exempt, pursuant to section 39.1, a person from the requirement to participate in an ignition interlock program.
- (2) An appeal pursuant to this section must be:
- (a) made within 21 days after written notification of the administrator's decision is served on the person; and
 - (b) in writing.
- (3) The fee payable for an appeal is the amount set out in the fees regulations.
- (4) The sole issue before the board on an appeal pursuant to this section is whether the person meets the requirements for an exemption pursuant to subsection 39.1(2).
- (5) On appeal pursuant to this section, the board may:
- (a) uphold the administrator's decision; or
 - (b) reverse the administrator's decision and provide the person an exemption from participating in the ignition interlock program subject to the conditions set out in subsection 39.1(4).
- (6) The board has no authority to vary the terms and conditions that the administrator has imposed on any person exempted from participating in the ignition interlock program.

2 Apr 2015 SR 20/2015 s12.

Prohibitions

- 41(1)** No driver to whom a restricted driver's licence is issued pursuant to section 39 shall:
- (a) operate a motor vehicle that is not equipped with an ignition interlock device; or
 - (b) solicit a breath sample from any person for the purpose of assisting the driver to:
 - (i) start a vehicle equipped with an ignition interlock device; or
 - (ii) keep a vehicle equipped with an ignition interlock device in motion.
- (2) No person shall tamper with an ignition interlock device.

7 Jly 2006 cT-18.1 Reg 2 s41.

Application - restricted licence

- 42(1)** Notwithstanding section 37, but subject to subsections (2) to (7), a person who has been convicted of an offence listed in section 36 may apply to the board for an order pursuant to section 156 of the Act authorizing the administrator to issue a driver's licence.
- (2) If a driver is convicted of an offence pursuant to paragraph 320.14(1)(a), (b) or (d) or section 320.15 of the *Criminal Code*, an application pursuant to this section may be made only after the driver has participated in the ignition interlock program for the period set out in subsection 148.1(2) of the Act.

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- (3) Before making an application pursuant to this section, the applicant shall:
- (a) in the case of a driver who has been convicted of a first or second offence listed in section 36, complete any education program required by the administrator; and
 - (b) in the case of a driver who has been convicted of a third or subsequent offence listed in section 36, be assessed by an addictions counsellor and:
 - (i) complete an education or recovery program recommended by the addictions counsellor; or
 - (ii) if no education or recovery program is recommended by the addictions counsellor, successfully complete a program that the administrator may direct.
- (4) In the case of a disqualification arising out of a conviction for an offence pursuant to subsection 140(1) of the Act, or an offence pursuant to regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 140(1) of the Act, the administrator may waive any of the requirements set out in subsection (3).
- (5) An application to the board pursuant to subsection (1) shall:
- (a) be made on the form provided by the board;
 - (b) demonstrate to the board's satisfaction that the absence of any driving privileges would cause exceptional hardship to the applicant;
 - (c) demonstrate to the board's satisfaction that the issuance of a licence to the applicant would not be contrary to the public interest.
- (6) Each application pursuant to subsection (1) is to include a fee as set out in the fees regulations.
- (7) Every holder of a licence issued pursuant to this section is deemed to be a new driver for the purposes of sections 150, 150.1 and 150.11.
- (8) **Repealed.** 4 Jly 2014 SR 56/2014 s23.

7 Jly 2006 cT-18.1 Reg 2 s42; 2 Feb 2007 SR 2/2007 s7; 6 Jne 2014 SR 41/2014 s15; 4 Jly 2014 SR 56/2014 s23; 21 Sep 2018 SR 68/2018 s20; 24 Dec 2020 SR 132/2020 s12.

Transition-ignition interlock

42.1 Notwithstanding any other provision of these regulations, a person who was participating in an ignition interlock program before the coming into force of *The Driver Licensing and Suspension Amendment Regulations, 2014 (No. 2)* shall meet the requirements set out in sections 39, 40, 40.1 and 40.2 as those sections existed before the coming into force of those regulations.

4 Jly 2014 SR 56/2014 s24.

PART IV
Photo and Signature Exemptions

Interpretation of Part**43** In this Part:

(a) **“photo exemption”** means an exemption issued in accordance with section 47 that exempts an individual from the requirement imposed by the Act and these regulations to have his or her photograph shown on his or her driver’s licence;

(b) **“signature exemption”** means an exemption issued in accordance with section 47 that exempts an individual from the requirement imposed by the administrator pursuant to the Act and these regulations to have the driver’s signature recorded in an electronic form on his or her driver’s licence.

10 Dec 2010 SR 118/2010 s4.

Validity of driver’s licence if photo exemption has been issued

44(1) Subject to subsection (3), for the purposes of sections 31 and 40 of the Act, a driver’s licence remains valid without a photograph if the holder of the driver’s licence has been issued a photo exemption.

(2) The driver’s licence of a holder who has been issued a photo exemption must be marked ‘Valid without Photo’ in the area on the driver’s licence normally reserved for the driver’s photograph.

(3) A driver’s licence described in subsection (1) is not valid if the holder is no longer entitled to a photo exemption or the holder’s photo exemption has been suspended or cancelled or has expired.

10 Dec 2010 SR 118/2010 s4.

Validity of driver’s licence if signature exemption has been issued

44.1(1) Subject to subsection (3), for the purposes of sections 31 and 40 of the Act, a driver’s licence remains valid without an electronic signature if the holder of the driver’s licence has been issued a signature exemption.

(2) The driver’s licence of a holder who has been issued a signature exemption must be marked ‘Valid without Signature’ in the area on the driver’s licence normally reserved for the driver’s electronic signature.

(3) A driver’s licence described in subsection (1) is not valid if the holder is no longer entitled to a signature exemption or the holder’s signature exemption has been suspended or cancelled or has expired.

10 Dec 2010 SR 118/2010 s4.

Application for exemption

45 An individual who intends to obtain a photo exemption, a signature exemption or both shall:

(a) apply to the administrator on a form satisfactory to the administrator; and

(b) provide the administrator with evidence satisfactory to the administrator to establish that the applicant is qualified for the exemption being applied for.

10 Dec 2010 SR 118/2010 s4.

Qualification for photo exemption

45.1(1) The following individuals are qualified to apply for a short-term photo exemption:

- (a) an individual who satisfies the administrator that he or she has a temporary illness;
 - (b) an individual who:
 - (i) permanently resides in Saskatchewan but, at the time of the application, is temporarily outside Saskatchewan; and
 - (ii) satisfies the administrator that he or she has a reasonable excuse that temporarily prevents him or her from obtaining a photograph.
- (2) The following individuals are qualified to apply for a long-term photo exemption:
- (a) an individual who:
 - (i) satisfies the administrator that he or she has a facial disfigurement that distorts or obscures his or her facial features; and
 - (ii) provides the administrator with a letter from a duly qualified medical practitioner setting out the reasons supporting the individual's request for the exemption;
 - (b) an individual who:
 - (i) satisfies the administrator that his or her religious beliefs do not allow him or her to be photographed; and
 - (ii) provides the administrator with a letter from a priest, religious leader or elder of the individual's church or religious organization setting out the reasons supporting the individual's request for the exemption.
- (3) An individual who satisfies the administrator that he or she permanently resides in one of the following communities or in one of the following postal code zones is qualified to apply for a northern resident photo exemption:
- (a) Canoe Narrows or S0M 0K0;
 - (b) Cole Bay or S0M 0M0;
 - (c) Dillon or S0M 0S0;
 - (d) Patuanak or S0M 2H0;
 - (e) Deschambault Lake or S0P 0C0;
 - (f) Pelican Narrows or S0P 0E0;
 - (g) Black Lake or S0J 0H0;
 - (h) Fond-du-lac or S0J 0W0;

- (i) Pinehouse Lake or S0J 2B0;
- (j) Reindeer Lake or S0J 2L0;
- (k) Stanley Mission or S0J 2P0;
- (l) Stony Rapids or S0J 2R0;
- (m) Uranium City or S0J 2W0;
- (n) Sandy Bay or S0P 0G0;
- (o) Kinoosao or S0P 0J0;
- (p) Molanosa or S0J 1W0;
- (q) Southend or S0J 2L0;
- (r) Wollaston Lake or S0J 3C0.

10 Dec 2010 SR 118/2010 s4.

Qualification for signature exemption

46(1) A Saskatchewan resident is qualified to apply for a signature exemption if the resident:

- (a) is applying for the renewal of a driver's licence; and
- (b) is not in Saskatchewan at the time of the application.

(2) An individual is qualified for a northern resident signature exemption if the individual satisfies the administrator that he or she permanently resides in one of the communities or postal zones mentioned in subsection 45.1(3).

10 Dec 2010 SR 118/2010 s4.

Issue of exemption

47 On receipt of an application for an exemption pursuant to this Part, the administrator may issue the exemption being applied for if the administrator is satisfied that:

- (a) the application is complete;
- (b) the individual who applied for the exemption is qualified to do so pursuant to section 45.1 or 46, as the case may be; and
- (c) it is not contrary to the public interest to issue the exemption.

10 Dec 2010 SR 118/2010 s4.

Term of exemption

48(1) Subject to subsection (2), unless otherwise sooner suspended or cancelled pursuant to section 49, an exemption issued pursuant to this Part expires on the expiry date of the driver's licence, as set out on the driver's licence, of the individual to whom the exemption was issued.

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(2) Unless otherwise sooner suspended or cancelled pursuant to section 49, every northern resident photo exemption and northern resident signature exemption expires on the date that is one year after the day on which *The Driver Licensing and Suspension Amendment Regulations, 2010 (No. 2)* came into force.

10 Dec 2010 SR 118/2010 s4.

Suspension or cancellation of exemption

49(1) The administrator may suspend or cancel an exemption issued pursuant to this Part if the individual to whom the exemption was issued has provided the administrator with any false or misleading information at any time with respect to the application for the exemption.

(2) Before the administrator takes any action pursuant to subsection (1), the administrator shall give the individual to whom the exemption was issued:

- (a) written notice of the administrator's intention to suspend or cancel the exemption, and the reasons for doing so; and
- (b) an opportunity to make written representations to the administrator, within 30 days after the written notice mentioned in clause (a) is given, as to why the exemption should not be suspended or cancelled.

(3) The administrator is not required to give an oral hearing to any individual to whom a notice has been given pursuant to subsection (2).

(4) After considering any written representations that may have been made, the administrator shall provide the individual with a written decision respecting the decision to suspend or cancel an exemption.

10 Dec 2010 SR 118/2010 s4.

PART V**Standard Field Sobriety Test****Prescribed field sobriety tests**

50 For the purposes of sections 146.1, 146.2, 150.1 and 150.11 of the Act, the following tests are prescribed as the standard field sobriety tests:

- (a) the horizontal gaze nystagmus test, in which a peace officer makes a number of observations of each eye of the test subject while the subject's eyes follow or look at a hand-held object that the officer is moving or holding steady;
- (b) the walk-and-turn test, in which the peace officer requires the test subject to listen to instructions and then to take a specified number of heel-to-toe steps in a straight line, turn on one foot and take the same number of heel-to-toe steps back in a straight line, while counting the steps out loud and looking at his or her feet;
- (c) the one-leg stand test, in which a peace officer requires the test subject to listen to instructions and then raise one of his or her feet and count out loud, while looking at the raised foot for a specific period timed by the peace officer.

7 Jly 2006 cT-18.1 Reg 2 s50; 21 Sep 2018 SR 68/2018 s21.

Procedures for administering standard field sobriety test

51 If a peace officer requires a person to undergo the standard field sobriety tests, the peace officer must have the person go through each test set out in clause 50(a) to (c) to the extent that:

- (a) the person is able to perform those tests; and
- (b) circumstances permit.

7 Jly 2006 cT-18.1 Reg 2 s51.

Order of administering standard field sobriety test

52 If a peace officer requires a person to undergo the standard field sobriety tests, to the extent that circumstances permit, the subject should be asked to perform the tests in the following order:

- (a) the horizontal gaze nystagmus test;
- (b) the walk-and-turn test; and
- (c) the one-leg stand test.

7 Jly 2006 cT-18.1 Reg 2 s52.

Required training

53 No peace officer shall require a person to undergo a standard field sobriety test unless the peace officer is trained in administering the tests and assessing the test subject's performance.

7 Jly 2006 cT-18.1 Reg 2 s53.

Form with standard fee

54 For the purposes of sections 146.1, 146.2, 150.1 and 150.11 of the Act, a peace officer shall complete a notice of suspension if that peace officer suspends a driver for:

- (a) failing to satisfy the peace officer that:
 - (i) the driver is capable of the safe operation of the motor vehicle;
 - (ii) the driver does not have drugs in the driver's body; or
 - (iii) the driver does not have alcohol in the driver's body; or
- (b) failing to complete or undergo a standard field sobriety test.

24 Dec 2020 SR 132/2020 s13.

PART VI

Repeal and Coming into Force**R.R.S. c.V-2.1 Reg 15 repealed**

55 *The Driver Licensing and Suspension Regulations* are repealed.

7 Jly 2006 cT-18.1 Reg 2 s55.

Coming into force

56(1) Subject to subsections (2) to (4), these regulations come into force on the day on which section 1 of *The Traffic Safety Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Traffic Safety Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Jly 2006 cT-18.1 Reg 2 s56.

Appendix**PART I**

Repealed. 5 May 2017 SR 37/2017 s12.

PART II

[*Section 23*]

DIVISION 1**Motor Vehicle Accidents**

1. The rating to be assigned to a new driver in the case of a motor vehicle accident that occurs before October 12, 2016 respecting which loss or damage arises on account of which the insurer makes a payment of \$305 or more pursuant to *The Automobile Accident Insurance Act* is:

- (a) if the new driver is determined to be more than 50% at fault for the accident, 6 points; or
- (b) if the new driver is determined to be 50% at fault for the accident, 3 points.

2. The rating to be assigned to a new driver in the case of a motor vehicle accident that occurs on or after October 12, 2016 is:

- (a) if loss or damage arises on account of which the insurer makes a payment of \$700 or more pursuant to *The Automobile Accident Insurance Act* and:
 - (i) the new driver involved in a motor vehicle accident is determined to be more than 50% at fault for the accident, 6 points; or
 - (ii) the new driver involved in a motor vehicle accident is determined to be 50% at fault for the accident, 3 points; or
- (b) if loss or damage arises on account of which the insurer makes a payment of less than \$700 pursuant to *The Automobile Accident Insurance Act* and:
 - (i) the new driver involved in a motor vehicle accident is determined to be more than 50% at fault for the accident, 4 points; or
 - (ii) the new driver involved in a motor vehicle accident is determined to be 50% at fault for the accident, 2 points

DIVISION 2

Convictions pursuant to *The Vehicle Equipment Regulations, 1987*

A conviction registered against a driver for any of the following offences pursuant to *The Vehicle Equipment Regulations, 1987* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

	Offence	Provision	Points
1	Driving a motorcycle as a new driver and failing to have arms and legs covered and to wear a proper helmet, gloves and ankle covering boots	6.1(1.1)	3

DIVISION 3

Convictions pursuant to *The Licence Plate Display Regulations*

A conviction registered against a driver for any of the following offences pursuant to *The Licence Plate Display Regulations* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

	Offence	Provision	Points
1	Failing to display new driver placard on motorcycle	3.1	3

DIVISION 4

Convictions pursuant to *The Driver Licensing and Suspension Regulations, 2006*

A conviction registered against a driver for any of the following offences pursuant to *The Driver Licensing and Suspension Regulations, 2006* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

	Offence	Provision	Points
1	Driver with a "6" endorsement driving a motorcycle during period that is one-half hour before sunset until one-half hour after sunrise	19.6(b)	3
2	Driver with a "6" endorsement driving a motorcycle not authorized to operate	19.6(e)	3
3	Driver with a "6" or "M" endorsement with a novice 1 restriction transporting passengers on a motorcycle	19.6(a), 19.7(a)	3
4	Driver with an "M" endorsement with a novice 1 restriction driving a motorcycle between midnight and 5 a.m.	19.7(b)	3

	Offence	Provision	Points
5	Driver with an “M” endorsement with a novice 1 restriction driving a motorcycle not authorized to operate	19.7(e)	3
6	Driver with a “6” or “M” endorsement with a novice 1 or novice 2 restriction towing a vehicle while operating a motorcycle	19.6(c), 19.7(c), 19.8(a)	3
7	Driver with an “M” endorsement with a novice 2 restriction driving a motorcycle not authorized to operate	19.8(c)	3

DIVISION 5

**Convictions pursuant to *The Traffic Safety Act*
(Before October 12, 2016)**

This Division applies if a driver is charged with and convicted of, before October 12, 2016, any of the following offences pursuant to *The Traffic Safety Act* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

	Offence	Provision	Points
1	Driving a motor vehicle on a highway without an appropriate driver’s licence	32(1)	1
2	Driving a motor vehicle as a learner unaccompanied	32.1(2)	3
3	Holding more than one driver’s licence	35(1)	1
4	Defacing or altering a driver’s licence	35(2)(a)	1
5	Defacing or altering a photo identification card	35(2)(b)	1
6	Allowing another person to use licence	35(5)	1
7	Driving a motor vehicle in violation of a licence endorsement	38	3
8	Failing to produce a licence	39(1)	1
9	Producing another person’s licence	39(2)	1
10	Driving an unregistered vehicle	57(1)	1
11	Unauthorized use of certificate of registration	59(1)	1
12	Deface or alter registration	59(2)	1
13	Failing to produce a certificate of registration	61	1
14	Using registration permit in prohibited manner	74(1)	1
15	Defacing or altering a registration permit	74(2)	1
16	Failing to properly display registration permit	74(3)	1
17	Driving while on a 24-hour suspension	140(3)	4
18	Driving while the administrator has refused to issue, suspended or cancelled a licence under the Act	140(5)	4

	Offence	Provision	Points
19	Failing to display a licence plate	192(1)	1
20	Displaying an unauthorized licence plate	192(3)	1
21	Defacing or altering a licence plate	192(4)	1
22	Obscuring a licence plate	192(6)	1
23	Driving in excess of 80 kilometres per hour	199(1)(a)	1
24	Driving in excess of the maximum speed indicated by signs on highway or at entrance to park	199(1)(b)	1
25	Exceeding the posted speed by 50 kilometres or more	199(2)	4
26	Exceeding the posted speed by 35 kilometres or more	199(2.1)	4
27	Exceeding the posted speed by a speed of at least twice the posted speed limit	199(2.2)	4
28	Exceeding a speed that is reasonable and safe	199(3)	4
29	Driving at a speed that impedes traffic	199(4)	3
30	Exceeding the speed limit in a school zone	200(2)	3
31	Exceeding the speed limit in a speed zone marked by signs	201	1
32	Speeding in a park	202(2)	1
33	Exceeding 60 kilometres per hour when passing a highway worker or flag person	203(1)(a)	3
34	Exceeding 60 kilometres per hour when passing any highway equipment occupied by a highway worker and whose presence on the highway is marked in the prescribed manner	203(1)(b)	3
35	Exceeding 60 kilometres per hour when passing any highway equipment on a highway that has its warning lights in operation, whether or not it is in motion	203(1)(c)	3
36	Failing to obey a flag person or peace officer	203(3)	3
37	Exceeding 60 kilometres per hour when passing a stopped emergency vehicle that has its emergency lights in operation	204(1)	3
38	Exceeding 60 kilometres per hour when passing a stopped tow truck that has its amber lights in operation	205(1)	3
39	Failing to obey traffic control device	208(2)	4
40	Failing to obey directions of a peace officer	208(3)	3
41	Stopping improperly on a highway	209(2)	1
42	Failing to sufficiently mark a stationary vehicle	209(3)(a) or (b)	1
43	Tampering with flares or hazard lights	209(5)	1

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	Offence	Provision	Points
44	Failing to obey a stop sign	209(6)(a)	4
45	Failing to obey a stop signal at a railway crossing	209(6)(b)	4
46	Failing to stop for a crossing guard	209(6)(c)	4
47	Bus transporting passengers failing to stop at a level railway crossing	209(7)(a)	4
48	Vehicle transporting goods and required to be placarded failing to stop at a level railway crossing	209(7)(b)	4
49	After stopping at a level railway crossing, proceeding while it is unsafe	209(8)	4
50	Failing to comply with the signal or request of a peace officer	209.1(3)	3
51	Passing a school bus that has its safety lights in operation	212(2)	4
52	Failing to stop five metres from the rear of a school bus that has its safety lights and stop arm in operation	212(3)	4
53	Failing to stop five metres from the front of a school bus that has its safety lights and stop arm in operation	212(4)	4
54	Driving without due care and attention	213(1)	4
55	Driving without reasonable consideration of others	213(2)	4
56	Driving in a contest of speed or racing with another vehicle on a highway	214(1)	4
57	Driver performing an activity on a highway that is likely to distract, startle or interfere with other users of the highway	214(2)	4
58	Failing to keep right of the centre of a highway	217(1)(a)	1
59	Passing to the right of a vehicle	217(1)(b)	4
60	Passing at an intersection (same direction) when it is unsafe	217(3)	1
61	Moving, when it is unsafe, in front of a person or vehicle after passing	217(4)	3
62	Increasing speed when being overtaken	217(5)	3
63	Passing without a clear view of a highway	217(6)	1
64	Making a right turn from the wrong lane	218(1)	1
65	Making a left turn from the wrong lane	218(2)	1
66	Failing to yield the right of way to a vehicle on the right	219(1)	3
67	Failing to yield the right of way when making a left turn	219(3)	3

	Offence	Provision	Points
68	Failing to yield the right of way when entering on a provincial highway	219(4)	3
69	Failing to yield the right of way at a 'yield' sign	219(5)	3
70	Failing to yield the right of way on entering a highway from other than a highway	219(6)	3
71	After yielding the right of way, proceeding while it is unsafe	219(8)	3
72	Driving to the left of the centre of a highway	220(1)	1
73	Proceeding the wrong way on a one-way highway	221	3
74	Backing a vehicle on or onto a highway when it is unsafe	222	1
75	Failing to yield the right of way to pedestrians at a highway intersection or marked pedestrian crossing in the required manner	223(1)	3
76	Driver failing to stop the vehicle for a pedestrian at a marked pedestrian crossing in the required manner	223(1.1)	3
77	Passing a vehicle stopped for pedestrians	223(2)	3
78	Following too closely	225(1)	3
79	Failing to leave sufficient space when following	225(2)	3
80	Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	226	4
81	Crossing a highway unlawfully	227	1
82	Changing lanes when it is unsafe	228(1)(a)	3
83	Crossing solid lines unlawfully to change lanes	228(1)(b)	1
84	Driving to the left of solid centre line	228(1)(c)	1
85	Driving motorcycle more than two abreast	228(1)(e)	1
86	Driving motorcycle beside a vehicle other than a motorcycle	228(1)(f)	1
87	Driving on the left-hand side of median	229(1)	4
88	Crossing a median unlawfully	229(2)	4
89	Driving without prescribed lights	230(1)	1
90	Failing to dim headlights when approaching	230(2)(a)	1
91	Failing to dim headlights when following	230(2)(b)	1
92	Failing to dim headlights when passing	230(2)(c)	1
93	Failing to dim headlights when being overtaken	230(2)(d)	1
94	Failing to dim headlights when stationary	230(4)	1
95	Failing to extinguish spot light	231	1
96	Failing to extinguish loading lamp	232	1

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	Offence	Provision	Points
97	Using an amber beacon or flashing light when prohibited	233	1
98	Failing to use a signalling device to warn of the intention to turn, to stop or to abruptly reduce speed	234(1)	3
99	Driving contrary to a sign at an intersection with a green light	235(2)(a)	3
100	Failing to stop at a crosswalk against an amber light	235(3)(a)	3
101	Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light	235(4)	3
102	Failing to stop at a red light at an intersection	235(5)(a)	4
103	Making a right turn at a red light when prohibited by a sign	235(5)(b)	3
104	Failing to stop at an intersection of two one-way streets	235(6)(a)	4
105	Making a left turn at a red light when prohibited by a sign	235(6)(b)	3
106	Failing to stop at a red light at a place other than an intersection	235(7)	1
107	Proceeding at an intersection in a direction not indicated by a green arrow	235(8)	3
108	Failing to yield at an intersection displaying a red light with a green arrow	235(9)	3
109	Failing to yield at a place other than an intersection displaying a red light with a green arrow	235(10)	3
110	Proceeding contrary to a green arrow	235(11)	3
111	Failing to obey a red flashing light, stopping at the wrong place or failing to stop or proceeding while it is unsafe to do so	235(13)	4
112	Failing to proceed cautiously at a flashing amber light	235(14)	3
113	Making a U-turn at an intersection with a traffic light	235(15)	1
114	Failing to yield the right of way to pedestrians at a 'walk' signal	237(2)(b)	3
115	Failing to yield to an emergency vehicle	238(9)	4
116	Permitting a person to hold on to a moving motor vehicle or attach a device	240(2)	1
117	Driving while using handheld electronic communication equipment	241.1(2)	4

	Offence	Provision	Points
118	Driving a commercial vehicle on a highway that is equipped with, contains or is carrying a radar warning device	242(2)(a)	3
119	Permitting a commercial vehicle to become or remain equipped with a radar warning device	242(2)(b)	3
120	Permitting a person to ride on the exterior part of a motor vehicle	244(1)	3
121	Permitting an over-crowded driving compartment	245(3)	3
122	Driving without clear view of highway to both the front and to both sides of the vehicle	246(1)	1
123	Failing to have a clear view to the rear	246(2)	1
124	Driving with an obstructed windshield or window	246(3)	1
125	Driver failing to wear a safety helmet on a motorcycle	247(1)	3
126	Driver failing to wear prescribed eye protection on a motorcycle without a windshield	247(3)	3
127	Driving a motorcycle side saddle	247(5)	1
128	Allowing a passenger under 16 years of age to ride without a helmet or eye protection	247(8)(a)	3
129	Allowing more than one passenger on a motorcycle	247(8)(b)	1
130	Allowing a passenger to ride in front of the motorcycle driver	247(8)(c)	1
131	Allowing a passenger under 16 years of age to ride side saddle	247(8)(d)	1
132	Allowing a passenger on a motorcycle not equipped for passengers	247(8)(e)	1
133	Allowing more than one person in a side car	247(8)(f)	1
134	Driver failing to wear a seat-belt assembly	248(1)	3
135	Driving a vehicle with an unrestrained passenger under 16 years of age	248(4) or (5)	3
136	Failure to report an accident	253(2) or (3)	4
137	Providing a false statement	272	4

DIVISION 6
Convictions pursuant to *The Traffic Safety Act*
(On or after October 12, 2016)

This Division applies if a driver is charged with at any time, but convicted of on or after October 12, 2016, any of the following offences pursuant to *The Traffic Safety Act* or any offence pursuant to the law of any province or state or a bylaw of a municipal corporation or duly constituted authority in Canada or the United States of America that is substantially similar to the following offences:

	Offence	Provision	Points
1	Driving a motor vehicle on a highway without an appropriate driver's licence	32(1)	1
2	Driving a motor vehicle as a learner unaccompanied	32.1(2)	4
3	Holding more than one driver's licence	35(1)	1
4	Defacing or altering a driver's licence	35(2)(a)	1
5	Defacing or altering a photo identification card	35(2)(b)	1
6	Creating or causing to be created a document that purports to be a driver's licence	35(4)	1
7	Allowing another person to use licence	35(5)	1
8	Driving a motor vehicle in violation of a licence endorsement	38	3
9	Failing to produce a licence	39(1)	1
10	Producing another person's licence	39(2)	1
11	Driving an unregistered vehicle	57(1)	1
12	Unauthorized use of certificate of registration	59(1)	1
13	Deface or alter registration	59(2)	1
14	Failing to produce a certificate of registration	61	1
15	Using registration permit in prohibited manner	74(1)	1
16	Defacing or altering a registration permit	74(2)	1
17	Failing to properly display registration permit	74(3)	1
18	Driving while on a 24-hour suspension	140(3)	4
19	Driving while the administrator has refused to issue, suspended or cancelled a licence under the Act	140(5)	4
20	Failing to display a licence plate	192(1)	1
21	Displaying an unauthorized licence plate	192(3)	1
22	Defacing or altering a licence plate	192(4)	1
23	Obscuring a licence plate	192(6)	1
24	Driving in excess of 80 kilometres per hour	199(1)(a)	2
25	Driving in excess of the maximum speed indicated by signs on highway or at entrance to park	199(1)(b)	2

	Offence	Provision	Points
26	Exceeding the posted speed by 50 kilometres or more	199(2)	4
27	Exceeding the posted speed by 35 kilometres or more	199(2.1)	4
28	Exceeding the posted speed by a speed of at least twice the posted speed limit	199(2.2)	4
29	Exceeding a speed that is reasonable and safe	199(3)	4
30	Driving at a speed that impedes traffic	199(4)	3
31	Exceeding the speed limit in a school zone	200(2)	3
32	Exceeding the speed limit in a speed zone marked by signs	201	2
33	Speeding in a park	202(2)	2
34	Exceeding 60 kilometres per hour when passing a highway worker or flag person	203(1)(a)	3
35	Exceeding 60 kilometres per hour when passing any highway equipment occupied by a highway worker and whose presence on the highway is marked in the prescribed manner	203(1)(b)	3
36	Exceeding 60 kilometres per hour when passing any highway equipment stopped on a highway with its warning lights in operation	203(1)(c)	3
37	Failing to obey a flag person or peace officer	203(3)	3
38	Exceeding 60 kilometres per hour when passing a stopped emergency vehicle that has its emergency lights in operation	204(1)	3
39	Exceeding 60 kilometres per hour when passing a stopped tow truck that has its amber lights or amber and blue lights in operation	205(1)	3
39.1	Exceeding 60 kilometres per hour when passing a service vehicle stopped on a highway with its prescribed lights in operation	205.1	3
40	Failing to reduce the vehicle's speed when approaching an animal or passing an animal while unsafe to do so	206	2
41	Failing to obey traffic control device	208(2)	4
42	Failing to obey directions of a peace officer	208(3)	3
43	Stopping improperly on a highway	209(2)	1
44	Failing to sufficiently mark a stationary vehicle	209(3)(a) or (b)	1
45	Tampering with flares or hazard lights	209(5)	1
46	Failing to obey a stop sign	209(6)(a)	4

	Offence	Provision	Points
47	Failing to obey a stop signal at a railway crossing	209(6)(b)	4
48	Failing to stop for a crossing guard	209(6)(c)	4
49	Bus transporting passengers failing to stop at a level railway crossing	209(7)(a)	4
50	Vehicle transporting goods and required to be placarded failing to stop at a level railway crossing	209(7)(b)	4
51	After stopping at a level railway crossing, proceeding while it is unsafe	209(8)	4
52	Failing to comply with the signal or request of a peace officer	209.1(3)	3
53	Passing a school bus that has its safety lights in operation	212(2)	4
54	Failing to stop five metres from the rear of a school bus that has its safety lights and stop arm in operation	212(3)	4
55	Failing to stop five metres from the front of a school bus that has its safety lights and stop arm in operation	212(4)	4
56	Driving without due care and attention	213(1)	4
57	Driving without reasonable consideration of others	213(2)	4
58	Driving a motor vehicle on a highway in a race or contest	214(2)(a)	4
58.1	Driving a motor vehicle on a highway while performing a stunt	214(2)(b)	4
59	Driving a motor vehicle on a highway on a bet or wager	214(2)(c)	4
60	Failing to keep right of the centre of a highway	217(1)(a)	1
61	Passing to the right of a vehicle	217(1)(b)	4
62	Passing at an intersection (same direction) when it is unsafe	217(3)	1
63	Moving, when it is unsafe, in front of a person or vehicle after passing	217(4)	3
64	Increasing speed when being overtaken	217(5)	3
65	Passing without a clear view of a highway	217(6)	1
66	Making a right turn from the wrong lane	218(1)	1
67	Making a left turn from the wrong lane	218(2)	1
68	Failing to yield the right of way to a vehicle on the right	219(1)	3
69	Failing to yield the right of way when making a left turn	219(3)	3

	Offence	Provision	Points
70	Failing to yield the right of way when entering on a provincial highway	219(4)	3
71	Failing to yield the right of way at a "yield" sign	219(5)	3
72	Failing to yield the right of way on entering a highway from other than a highway	219(6)	3
73	After yielding the right of way, proceeding while it is unsafe	219(8)	3
74	Driving to the left of the centre of a highway	220(1)	1
75	Proceeding the wrong way on a one-way highway	221	3
76	Backing a vehicle on or onto a highway when it is unsafe	222	1
77	Failing to yield the right of way to pedestrians at a highway intersection or marked pedestrian crossing in the required manner	223(1)	3
78	Driver failing to stop the vehicle for a pedestrian at a marked pedestrian crossing in the required manner	223(1.1)	3
79	Passing a vehicle stopped for pedestrians	223(2)	3
80	Following too closely	225(1)	3
81	Failing to leave sufficient space when following	225(2)	3
82	Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	226	4
83	Crossing a highway unlawfully	227	1
84	Changing lanes when it is unsafe	228(1)(a)	3
85	Crossing solid lines unlawfully to change lanes	228(1)(b)	1
86	Driving to the left of solid centre line	228(1)(c)	1
87	Driving motorcycle more than two abreast	228(1)(e)	1
88	Driving motorcycle beside a vehicle other than a motorcycle	228(1)(f)	1
89	Driving on the left-hand side of median	229(1)	4
90	Crossing a median unlawfully	229(2)	4
91	Driving without prescribed lights	230(1)	1
92	Failing to dim headlights when approaching	230(2)(a)	1
93	Failing to dim headlights when following	230(2)(b)	1
94	Failing to dim headlights when passing	230(2)(c)	1
95	Failing to dim headlights when being overtaken	230(2)(d)	1
96	Failing to dim headlights when stationary	230(4)	1
97	Failing to extinguish spot light	231	1
98	Failing to extinguish loading lamp	232	1

	Offence	Provision	Points
99	Using an amber beacon or flashing light when prohibited	233	1
100	Failing to use a signalling device to warn of the intention to turn, to stop or to abruptly reduce speed	234(1)	3
101	Driving contrary to a sign at an intersection with a green light	235(2)(a)	3
102	Failing to stop at a crosswalk against an amber light	235(3)(a)	3
103	Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light	235(4)	3
104	Failing to stop at a red light at an intersection	235(5)(a)	4
105	Making a right turn at a red light when prohibited by a sign	235(5)(b)	3
106	Failing to stop at an intersection of two one-way streets	235(6)(a)	4
107	Making a left turn at a red light when prohibited by a sign	235(6)(b)	3
108	Failing to stop at a red light at a place other than an intersection	235(7)	1
109	Proceeding at an intersection in a direction not indicated by a green arrow	235(8)	3
110	Failing to yield at an intersection displaying a red light with a green arrow	235(9)	3
111	Failing to yield at a place other than an intersection displaying a red light with a green arrow	235(10)	3
112	Proceeding contrary to a green arrow	235(11)	3
113	Failing to obey a red flashing light, stopping at the wrong place or failing to stop or proceeding while it is unsafe to do so	235(13)	4
114	Failing to proceed cautiously at a flashing amber light	235(14)	3
115	Making a U-turn at an intersection with a traffic light	235(15)	1
116	Failing to yield the right of way to pedestrians at a 'walk' signal	237(2)(b)	3
117	Failing to yield to an emergency vehicle	238(9)	4
118	Permitting a person to hold on to a moving motor vehicle or attach a device	240(2)	1
119	Driving while holding, using, viewing or manipulating electronic communications equipment	241.1(2)	4

	Offence	Provision	Points
120	Driving a commercial vehicle on a highway that is equipped with, contains or is carrying a radar warning device	242(2)(a)	3
121	Permitting a commercial vehicle to become or remain equipped with a radar warning device	242(2)(b)	3
122	Permitting a person to ride on the exterior part of a motor vehicle	244(1)	3
123	Permitting an over-crowded driving compartment	245(3)	3
124	Driving without clear view of highway to both the front and to both sides of the vehicle	246(1)	1
125	Failing to have a clear view to the rear	246(2)	1
126	Driving with an obstructed windshield or window	246(3)	1
127	Driver failing to wear a safety helmet on a motorcycle	247(1)	3
128	Driver failing to wear prescribed eye protection	247(2)	3
129	Riding or allowing person to ride side saddle	247(3)	1
130	Riding or allowing passenger to ride in front of the motorcycle driver	247(4)(a)	1
131	Riding or allowing passenger to ride a motorcycle not equipped for passengers	247(4)(b)	1
132	Riding or allowing passenger to ride in side car with another person	247(4)(c)	1
133	Driving a prescribed vehicle with a passenger under the age of 16 years without meeting prescribed equipment requirements	247(5)	1
134	Driver failing to wear a seat-belt assembly	248(1)	3
135	Driving a vehicle with an unrestrained passenger under 16 years of age	248(4) or (5)	3
136	Failure to report an accident	253(2) or (3)	4
137	Providing a false statement	272	4
138	Repealed. 21 Sep 2018 SR 68/2018 s23.		

