

Addressing the Drug-Impaired Driving Problem in Canada

Drug-Impaired Driving in Canada

- In 2008, the *Criminal Code* was amended to authorize police to demand “physical coordination tests” (the standard field sobriety test or SFST, and a drug recognition evaluation or DRE) from suspected drug-impaired drivers in certain limited circumstances.
- The following pages outline the rate of drug-impaired driving charges from 2008 to 2012 (Please note there is currently no information available on the conviction rate for drug-impaired driving charges.)

Persons Charged for Drug-Impaired Driving, by Offence: Canada, 2008-2012

Offence	2008	2009	2010	2011	2012
Total impaired driving charges (drugs & alcohol)	65,822	68,338	65,188	60,164	59,777
Drug-impaired driving charges as a percentage of total impaired driving charges	0.29%	1.16%	1.43%	1.56%	1.88%
Total drug-impaired driving charges:	188	796	929	941	1,126
Impaired operation causing death	0	2	2	2	3
Impaired operation causing bodily harm	3	11	11	19	12
Impaired operation	180	752	890	892	1,084
Failure to comply or refusal	4	22	23	23	22
Failure to provide blood sample	1	9	3	5	5

Source

CANSIM Table 252-0051: Incident-based crime statistics, by detailed violations (Ottawa: Statistics Canada, 2013)

Persons Charged for a Drug-Impaired Driving Offence by Jurisdiction: 2008-2012

Offence	2008	2009	2010	2011	2012
Canada	188	796	929	941	1,126
Alberta	29	86	136	133	118
British Columbia	23	128	111	118	213
Manitoba	7	21	29	41	35
New Brunswick	13	67	37	43	23
Newfoundland and Labrador	19	36	53	34	34
Northwest Territories	0	1	3	3	4
Nova Scotia	18	39	71	63	62
Nunavut	1	0	1	0	2
Ontario	66	317	323	284	278
Prince Edward Island	1	5	5	5	4
Québec	3	51	102	169	295
Saskatchewan	8	45	58	47	56
Yukon	0	0	0	1	2

Source

CANSIM Table 252-0051: Incident-based crime statistics, by detailed violations (Ottawa: Statistics Canada, 2013)

Drug-Related Grounds for Short-Term Administrative Licence Suspensions

Prov.	Drug-Related Administrative Licence Suspensions	Duration (1st occurrence)	Number
AB	Reasonably suspect driver's physical or mental ability is affected by a drug	24 hours	Not known
BC	Reasonable grounds to believe driver's ability affected by a drug	24 hours	4,457
MB	Based on SFST, believe driver is unable to drive safely, or too impaired to take blood or SFST test	24 hours	48
NB	No drug-related administrative program		
NL	Reasonable grounds to believe driver's ability is impaired by a drug or combination of drugs and alcohol	7 days	Not known
NS	No drug-related administrative program		
ON	No drug-related administrative program		
PE*	Refuses/fails to participate in an SFST, or fails an SFST	24 hours	New program
QC	Reasonable grounds to believe driver's ability is impaired by drugs based on failed SFST, or driver refuses/fails to take SFST	24 hour	New Program
SK	Refuses/fails to participate in an SFST, or fails an SFST	24 hours	61

* PEI has a zero tolerance policy for drugs under its Graduated Licensing Program. Refusing/failing an SFST results in an immediate 24-hour suspension, followed by a 90-day administrative driving prohibition.

Sources

1. Provincial Legislation: *A Summary of Graduated Licensing, Short-Term and 90-Day Licence Suspensions, Alcohol Interlocks and Vehicle Sanctions Across Canada, July 2013*. R. Solomon, D. Perkins-Leitman, University of Western Ontario.
2. Number of Drug-Related Administrative Licence Suspensions: Provided by the Provinces.

Recommendations

- Statistics Canada needs to introduce separate codes to permit the reporting of drug-impaired driving cases that come to court, the outcome in these cases and the sentences that are imposed in those cases in which there is a guilty disposition.
- The CCMTA should adopt a model administrative licence suspension program for drug-impaired driving that is parallel to the model that it developed for alcohol-impaired driving.
- With the exception of British Columbia, the provinces and territories need to expand and strengthen their drug-impaired administrative licence suspension programs. Nova Scotia, New Brunswick and Ontario need to enact a short-term administrative licence suspension program for drivers who: are reasonably suspected to be impaired by drugs; test positive for drugs or fail or refuse to take an SFST.
- Provinces should move forward with use of oral fluid tests as grounds for drug-related administrative licence suspensions.
- With the exception of British Columbia, the provinces and territories need to adopt better systems for tracking drug-impaired administrative suspensions and sanctions.