

ADMINISTRATIVE LICENCE SUSPENSION PROGRAM (ALS) FACTS & INFORMATION

What is ALS?

The Administrative Licence Suspension Program (ALS) is a tough new law aimed at keeping impaired drivers off Alberta roadways. It automatically imposes a minimum three-month suspension or disqualification on drivers who are charged with an alcohol-related offence.

If the alcohol-related offence resulted in bodily harm or death, the term is increased to six months.

What happens if I am caught driving over the legal limit?

Starting December 1, 1999, any driver charged with an alcohol-related offence will be issued a Notice of Suspension/Disqualification - the official ALS form. This form records all of your personal information (name, address, driver licence number, etc.), and the details of the event. Depending on the circumstances, you will be handed an automatic three or six month suspension/disqualification. Whether or not you are issued a Temporary Permit depends on the circumstances.

Who are ALS notices issued to?

Any driver who is charged with an alcohol-related offence will receive an ALS notice. This means you must have provided a breath or blood sample that was over 80mg%, or have refused a demand to provide either a breath or a blood sample.

How long will my suspension be and when does it come into effect?

ALS Suspensions and disqualifications are issued for either three or six months. In some cases your suspension/disqualification is effective immediately and in some cases you will be issued a 21-day temporary permit to get your affairs in order before your suspension begins. See the chart below for more details:

If you were issued a 3-month term, effective immediately, you had, or were one of the following:

- A Suspended Driver
- No Subsisting Licence
- Already operating on an ALS Temporary Permit

If you were issued a 3-month term, effective in 21 days, you had one of the following:

- a Valid Alberta Licence (you were issued a Temporary Permit)
- an Out of Province Licence (you were NOT issued a Temporary Permit)
- an Out of Province Temporary Permit (you were NOT issued a Temporary Permit)

If you were issued a 6 month term, your alcohol-related offence resulted in bodily harm or death.

Further information on your suspension/disqualification will be sent to the address registered on file with motor vehicles. Also, if you are an out-of-province driver, your home jurisdiction will be notified of your disqualification.

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Can I appeal the Suspension/Disqualification?

The information on the back of the Notice of Suspension/Disqualification form leads you through the steps you need to take to get your licence reinstated or to appeal the decision. The appeal process will cost \$100 for a paper review and \$200 for an in-person hearing (Registry Agent fees apply on top of this fee). Any Alberta Registry Agent can sell you the form and provide you with more information on the appeal process.

YOUR APPEAL WILL ONLY BE CONSIDERED IF:

1. You can prove that you did not produce a breath or blood sample that was over 80mg%;

or

2. You can prove that you did not refuse a demand to supply a breath or blood sample.

If you cannot prove one of the above, your appeal will not be successful.

Important things to remember if you are appealing your suspension/disqualification:

1. You must send the original application. No faxes will be accepted.
2. You must also send a copy of the ALS form you were given and the Certificate of Analysis if a breath or blood sample was taken. Your application will be returned to you if you do not send both of these documents with your application.
3. Hardship caused by the suspension or disqualification will not be considered as a reason to cancel your suspension or disqualification.
4. Applying for a hearing does not affect your suspension or disqualification. It remains in effect for its duration even while you are participating in the appeal process.
5. Even if the courts find you not guilty, or guilty of other or lesser charges, the ALS suspension still stands. The court ruling has no effect on your suspension or disqualification.
6. All relevant documents must be received or your case will not be heard.

For more information:

Look in the Yellow Pages™ for a Registry Agent near you. An Alberta Registry Agent is your best source of information for ALS inquiries.