



07-06 Appendix A

Ability Impaired/ 80 mgs and over Summary Chart

Status: Amended

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RESULT	ACTION TAKEN	AUTHORITY TO TOW MOTOR VEHICLE
LESS THAN 50 mgs	CRIMINAL CODE – Impaired Operation (if evidence of impairment is conclusive)	CRIMINAL CODE – No Action
	PROVINCIAL – No Action	PROVINCIAL – Tow motor vehicle in accordance with provisions of HTA or By-law
ANY PRESENCE OF ALCOHOL (BAC>ZERO) NOVICE/YOUNG DRIVER (under 22)	CRIMINAL CODE – No Action	CRIMINAL CODE – No Action
	PROVINCIAL May charge under provisions of the HTA – Follow the administrative driver's licence suspension provisions of the HTA to determine the length of suspension (3, 7, or 30 days) –	PROVINCIAL – Tow motor vehicle in accordance with provisions of HTA or By-law
ANY PRESENCE OF ALCOHOL (BAC>ZERO) COMMERCIAL DRIVER	CRIMINAL CODE No Action	CRIMINAL CODE No Action
	PROVINCIAL May charge under provisions of the HTA – Follow the administrative driver's licence suspension provisions of the HTA to determine the length of suspension (3 days)	PROVINCIAL – Tow motor vehicle in accordance with provisions of HTA or By-law
BETWEEN 50 – 79 mgs	CRIMINAL CODE – No Action	CRIMINAL CODE – No Action

Chapter 7 – Vehicle Investigations

	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Follow the administrative driver's licence suspension provisions of the HTA to determine the length of suspension (3, 7, or 30 days) 	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Tow motor vehicle in accordance with provisions of HTA or By-Law
<p>OVER 80 mgs (2 tests of 80 mgs or over)</p>	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – Charge with Impaired Operation (if applicable) – Charge with 80 mgs or over – Request Letter of Opinion CFS 	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – No Action
	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Shall avoid novice driver charges where Criminal Code charges apply – 90 day Administrative Drivers Licence Suspension (does not apply for Impaired Operation.) 	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Tow motor vehicle in accordance with provisions of HTA or By-Law
<p>FAIL/REFUSE TO PROVIDE SUITABLE SAMPLES</p> <p>FAIL TO ACCOMPANY</p>	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – Charge with Fail to Provide Blood Sample – Charge with Fail to Provide Breath Sample – Charge with Impaired Operation (if applicable) – Charge with Fail to Accompany 	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – No Action
	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Shall avoid novice driver charges where Criminal Code charges apply – 90 day Administrative Drivers Licence Suspension (does not apply for Impaired Operation) 	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Tow motor vehicle in accordance with provisions of HTA or By-Law
<p>IMPAIRED OPERATION (charge as a result of a DRE evaluation where a bodily fluid demand has been made by a DRE).</p>	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – Charge with Impaired Operation by a drug or a combination of a drug and alcohol 	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – No Action
	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – 90 day Administrative Drivers Licence Suspension (applies for Impaired Operation by a drug or a combination of a drug and alcohol) 	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Tow motor vehicle in accordance with provisions of HTA or By-Law

<p>IMPAIRED OPERATION – INVESTIGATION (As a result of operator’s poor SFST performance and a DRE not being available).</p> <p><i>NOTE: These circumstances would be remote as TSV has partnered with surrounding police agencies to ensure DRE availability.</i></p>	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – Investigation for Impaired Operation by a drug or a combination of a drug and alcohol 	<p>CRIMINAL CODE</p> <ul style="list-style-type: none"> – No Action
	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Follow the Administrative Driver’s Licence Suspension provisions of the HTA to determine the length of suspension (3, 7, or 30 days) 	<p>PROVINCIAL</p> <ul style="list-style-type: none"> – Tow motor vehicle in accordance with provisions of HTA or By-Law

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