



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

ADMINISTRATIVE DRIVING PROHIBITION AND VEHICLE IMPOUNDMENT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to December 18, 2018. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



**HIGHWAY TRAFFIC ACT
CHAPTER H-5**

**ADMINISTRATIVE DRIVING PROHIBITION AND VEHICLE
IMPOUNDMENT REGULATIONS**

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Notice of impoundment

The notice of impoundment prescribed by section 255.3 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5 shall be in the form set out in Schedule 1. (EC161/00; 509/17; 588/18)

2. Statutory declaration

The statutory declarations prescribed by subsection 255.1(4) and clause 255.4(6)(b) of the *Highway Traffic Act* shall be in the form set out in Schedule 2 and Schedule 3 respectively. (EC161/00)

3. Notice of suspension – 7, 30 or 90 days

The notice of driving suspension referred to in subsection 277.1(4) of the *Highway Traffic Act* to be served in respect of the suspension of a person's driver's license for a period of 7 days, 30 days or 90 days, under subsection 277.1(3.2), (3.3) or (3.5) of the *Highway Traffic Act*, respectively, shall be in Form 1 of Schedule 4. (EC161/00; 436/07; 427/09; 465/13)

3.1 Notice of 24 hour suspension

The notice of driving suspension referred to in subsection 277.2(1.1) and clause 277.9(8)(b) of the *Highway Traffic Act* to be served in respect of the suspension of a person's driver's license, or the driver's license of a person who is a graduated driver or under the age of 19 years, for a period of 24 hours under subsection 277.2(1.1) or 277.9(4) of the *Highway Traffic Act*, respectively, shall be in Form 2 of Schedule 4. (EC436/07; 427/09; 465/13)

3.2 Notice of 90-day driving prohibition

The notice of driving prohibition referred to in subsection 277.2(3) of the *Highway Traffic Act*, containing the required information for the purposes of subsection 264.1(2) of the *Highway Traffic Act*, shall be in Form 3 of Schedule 4. (EC436/07; 427/09; 465/13)

3.3 Notice of 90-day driving prohibition

Revoked by EC465/13. (EC436/07; 427/09; 109/13; 465/13)

3.4 Notice of driving prohibition

Revoked by EC427/09. (EC436/07; 427/09)

4. Statutory declaration

The statutory declaration prescribed by clause 277.5(1)(c) of the *Highway Traffic Act* shall be in the form set out in Schedule 5. (EC161/00; 436/07)

5. Certificate of service

The certificate of service prescribed by clause 277.4(c) of the *Highway Traffic Act* shall be in the form set out in Schedule 6. (EC161/00; 436/07)

6. Report of peace officer

The reports of the peace officer prescribed by clause 255.3(1)(c) and clause 277.4(d) of the *Highway Traffic Act* shall be in the form set out in Schedule 7 and Schedule 8 respectively. (EC161/00)



SCHEDULE 1

NOTICE OF IMPOUNDMENT

(s. 255.3 of the *Highway Traffic Act*)

NAME
(Last) (First) (Other)

ADDRESS
(Number & Street) (Municipality) (Province) (Telephone)

DRIVER INFO
(License No.) (Prov.) (D.O.B.) (Sex)

VEHICLE INFO
(Plate No.) (Year) (Make) (V.I.N.) (Province)

OWNER INFO
(Name) (Address)

LOCATION DATE TIME
dd mm yy

This is official notification that the above-noted motor vehicle is being impounded under the authority specified below for the period of time specified below from the following date

(Date of Impoundment)

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsections 255.2(1) and (2) of the Act:
- 30 days; or
 - 60 days, where the registered owner of the motor vehicle was the owner of a motor vehicle that was impounded within two years before the date of impoundment.

REASON:

The undersigned peace officer is satisfied that, on or about, you operated a motor vehicle or had care or control of a motor vehicle while you were prohibited from doing so, by reason of the suspension or cancellation of your driver's license, and that you have been convicted, in the past two years, of an offence under subsection 271(1) of the *Highway Traffic Act*, subsection 259(4) of the *Criminal Code* (Canada), as that provision read before December 18, 2018, or subsection 320.18(1) of the *Criminal Code*.

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.01) of the *Highway Traffic Act* for 30 days in accordance with subsection 255.2(2.01) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about, by means of or in relation to your operation of the motor vehicle, you committed an offence under one of the following provisions of the *Criminal Code* (Canada): paragraph 320.14(1)(a), (b), (c) or (d), or subsection 320.14(4) or 320.15(1).

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.1) of the *Highway Traffic Act* for 6 months in accordance with subsection 255.2(2.1) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about

- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in clause 255.1(1.1)(a) of the *Highway Traffic Act*: 220, 221, 236, 320.13(2) or (3), 320.14(2) or (3), 320.15(2) or (3); or
- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in subclause 255.1(1.1)(b)(i) of the *Highway Traffic Act*: 320.13(1), 320.14(1)(a), (b), (c) or (d), 320.14(4), 320.15(1), 320.16, 320.17, 320.18(1), and within 10 years before the commission of the offence you were also convicted of one of the offences listed in clause 255.1(1.1)(a), as it read before December 18, 2018 and as it reads now, or two or more of the offences listed in clause 255.1(1.1)(b), as it read before December 18, 2018, and subclause 255.1(1.1)(b)(i).
- The above-noted vehicle is being impounded pursuant to subsection 277.11(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsection 277.11(2) of the Act:
 - 3 days, where a driving suspension has been imposed under subsection 277.1(3.2) of the Act for 7 days;
 - 7 days, where a driving suspension has been imposed under subsection 277.1(3.3) of the Act for 30 days; or
 - 30 days, where a driving suspension has been imposed under subsection 277.1(3.5) of the Act for 90 days.

REASON:

The undersigned peace officer is satisfied that, on or about, you were served with a notice of driving suspension under section 277.1 of the *Highway Traffic Act*.

- The above-noted vehicle is being impounded pursuant to subsection 277.93(4) of the *Highway Traffic Act* for 30 days in accordance with subsection 277.93(5) of the Act.

REASON:

The undersigned peace officer is satisfied that, on or about, you, a person who is a graduated driver or under the age of 19 years or 22 years, as applicable, were served with a notice of driving suspension under section 277.9 or 277.92 of the *Highway Traffic Act*.

Vehicle stored at:

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

REVIEW INSTRUCTIONS:

The owner of a motor vehicle has the right to have the impoundment reviewed by the Registrar under section 255.5 of the *Highway Traffic Act*. You may, within 30 days of becoming aware of the impoundment, apply to the Registrar for a review of the impoundment by filing an application for review with the Registrar of Motor Vehicles at Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyses Drive, Summerside, and paying to the Registrar the prescribed fee(s). An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To



ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 255.5 of the *Highway Traffic Act* does not stay the impoundment of the motor vehicle. Subject to the result of a review under section 255.5 of the *Highway Traffic Act*, the motor vehicle will be impounded for the period authorized by section 255.2, 277.11 or 277.93 of the *Highway Traffic Act*, as the case may be.

The owner of the motor vehicle shall be responsible to pay all costs and charges in relation to the impoundment and storage of the motor vehicle permitted by subsection 255.4(2) of the *Highway Traffic Act*, which costs and charges shall constitute a lien on the motor vehicle. Failure to pay such costs and charges may result in the disposal of the motor vehicle under the *Garage Keepers' Lien Act* or subsection 255.4(6) of the *Highway Traffic Act*.

(EC161/00; 360/03; 109/13; 509/17; 588/18; 750/18)

SCHEDULE 2

STATUTORY DECLARATION

(Section 255.1(4) of the *Highway Traffic Act*)

I (We) of
Name Address

declare that my/our
Year Make VIN
has been stolen.

Declared before me at
in *County, Province of Prince Edward Island*
this
dd mm yy

.....
Commissioner of Oaths Owner(s)

TO BE COMPLETED BY THE OWNER(S) OF A MOTOR VEHICLE UNDER IMPOUNDMENT IF THE VEHICLE HAS BEEN STOLEN. IF AT ANY TIME BEFORE A REVIEW IS CONDUCTED, THE REGISTRAR IS SATISFIED THAT THE MOTOR VEHICLE IMPOUNDED IS STOLEN PROPERTY, THE REGISTRAR SHALL THEN DIRECT THAT A PEACE OFFICER ORDER THE PERSON WHO HAS CUSTODY OF THE MOTOR VEHICLE TO RELEASE THE MOTOR VEHICLE TO THE OWNER(S) OR A PERSON AUTHORIZED BY THE OWNER(S).
(EC161/00)

SCHEDULE 3

STATUTORY DECLARATION

(Section 255.4(6)(b) of the *Highway Traffic Act*)

I, of
Lienholder Address

declare that the amount of the lien on the
Year Make Vin

registered to exceeds the lienholder's estimate of the
Owner's Name

value of the vehicle, and I also declare that I have, at least 14 days before the date of this declaration, sent to the registered owner(s) of the motor vehicle, by ordinary mail, a notice that I intend to dispose of the vehicle if the lien is not paid.

Declared before me at

in County, Province of Prince Edward Island
this.....

dd mm yy

.....
Commissioner of Oaths Lienholder

If a motor vehicle impounded under section 255.1, 277.11 or 277.91 of the *Highway Traffic Act* remains impounded for at least 90 days after the expiration of the impoundment period, the person who has custody of the motor vehicle shall not dispose of the motor vehicle by sale or otherwise without the approval of the Registrar.

The Registrar will require the Lienholder of the impounded motor vehicle to

1. Surrender to the Registrar any number plate, issued under the *Highway Traffic Act*, from the motor vehicle.
2. File with the Registrar the above statutory declaration.
3. Send by ordinary mail to the registered owner of the motor vehicle, at least 14 days before filing the statutory declaration, a notice that he intends to dispose of the vehicle if the lien is not paid.
4. Provide the Registrar with a certificate showing that no security interest is registered against the motor vehicle under the statutes governing security interests.

If the Registrar approves the disposal of a motor vehicle, the Registrar shall

- (a) cancel the registration issued under the *Highway Traffic Act* with respect to the motor vehicle;
- (b) transfer the registration of the motor vehicle to the lienholder of the motor vehicle under the impoundment; and
- (c) forward any refund from the cancellation of the registration to the previous registered owner of the motor vehicle.

(EC161/00; 509/17)

SCHEDULE 4

FORM 1

NOTICE OF DRIVING SUSPENSION (FOR 7, 30 OR 90 DAYS)

(Section 277.1 of the *Highway Traffic Act*)

DRIVER INFORMATION:

NAME

(Last)

(First)

(Other)

ADDRESS

(Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO.

PROV.

DRIVER'S DATE OF BIRTH

SEX

day

month

year

NSC NO.

VEHICLE INFO

(Plate No.)

(Year)

(Make)

(Province)

LOCATION

DATE

TIME

day month year

NOTICE

This is official notification that your driver's license is suspended and invalid for any purpose for the periods set out below:

7 days from the date and time written above under the authority of subsection 277.1(3.2) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or

performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c).

30 days from the expiry of the temporary driver's license below under the authority of subsection 277.1(3.3) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or

performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c),



and the peace officer has reasonable grounds to believe that this is the second time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

90 days from the expiry of the temporary driver's license below under the authority of subsection 277.1(3.5) of the *Highway Traffic Act* because the undersigned peace officer has reasonable grounds to believe that you, as the driver of a motor vehicle or a person with the care or control of a motor vehicle,

- provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a); or
- performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer who requested it believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c),

and the peace officer has reasonable grounds to believe that this is the third or subsequent time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the *Highway Traffic Act*.

DRIVING PROHIBITION:

You are prohibited from operating a motor vehicle during the period of your suspension, as indicated above.

SURRENDER OF DRIVER'S LICENSE:

License surrendered _____ Yes _____ No

License May Be Claimed At

RETURN OF DRIVER'S LICENSE:

Date and Time of Return Personal Mail

Returned by Receipt of License

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

REVIEW INSTRUCTIONS:

Where your driver's license has been suspended for 30 or 90 days, you have the right to have the suspension reviewed by the Registrar under section 277.5 of the *Highway Traffic Act*. You may, within 7 days of being served with this notice of driving suspension, apply to the Registrar for a review of the driving suspension by filing an application for review with the Registrar of Motor Vehicles at the Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyses Drive, Summerside, and paying to the Registrar the prescribed fee(s). If your license or permit to operate a motor vehicle issued under the *Highway Traffic Act* was not taken by the peace officer or sent to the Registrar under section 277.2 of the *Highway Traffic Act*, you must surrender it to the Registrar, unless you complete and file with the Registrar a statutory

declaration in the prescribed form stating that the license or permit has been lost, stolen or destroyed. An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 277.5 of the *Highway Traffic Act* does not stay the driving suspension. If you do not apply for a review of the driving suspension within 7 days, or if the review is unsuccessful, you will be prohibited from operating a motor vehicle for a period of 30 or 90 days, as the case may be.

(EC376/10; 465/13; 35/16; 588/18; 750/18)



FORM 2

NOTICE OF 24-HOUR DRIVING SUSPENSION

(Sections 277.2, 277.9 and 277.92 of the *Highway Traffic Act*)

A. DRIVER INFORMATION:

NAME
(Last) (First) (Other)

ADDRESS
(Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO. PROV.

DRIVER'S DATE OF BIRTH SEX
day month year

NSC NO.

VEHICLE INFO
(Plate No.) (Year) (Make) (Province)

LOCATION DATE TIME
day month year

B.1 NOTICE OF 24-HOUR DRIVING SUSPENSION (FOR DRIVER OTHER THAN A GRADUATED DRIVER OR A DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that your driver's license is suspended and invalid for any purpose for a period of **24 hours** from the date and time written above under the authority of subsection 277.2(1.1) of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that

on
day month year

you operated a motor vehicle or had care or control of a motor vehicle and

you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood equalled or exceeded 80 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a blood drug concentration that equalled or exceeded any blood drug concentration for the drug prescribed under the *Criminal Code* (clause 277.2(1)(c) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your breath, blood or other bodily substance(s), a blood alcohol concentration and a blood drug concentration that equalled or exceeded the concentrations prescribed under the *Criminal Code* for that alcohol-drug combination (clause 277.2(1)(c.1) of the *Highway Traffic Act*);
or

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* (clause 277.2(1)(c.2) of the *Highway Traffic Act*);

you provided a sample of your breath, which sample, on analysis by an approved screening device or an approved instrument, indicates that the proportion of alcohol in your blood is 50 milligrams or more of alcohol in 100 millilitres of blood but is less than 100 milligrams of alcohol in 100 millilitres of blood, and has requested the surrender of your driver's license under clause 277.1(1)(a), and the peace officer has reasonable grounds to believe that this is the second, third or subsequent time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years;

you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c), and the peace officer has reasonable grounds to believe that this is the second, third or subsequent time that a peace officer has requested the surrender of your driver's license under any of clause 277.1(1)(a), clause 277.1(1)(c) or section 277.2 within the last 3 years.

B.2 NOTICE OF 24-HOUR DRIVING SUSPENSION (FOR A GRADUATED DRIVER OR A DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that your driver's license is suspended and invalid for any purpose for a period of **24 hours** from the date and time written above under the authority of subsection 277.9(4) or 277.92(1) or section 277.2 of the *Highway Traffic Act*.

REASON:

The undersigned peace officer has reasonable grounds to believe that

on,

day month year

you operated a motor vehicle or had care or control of a motor vehicle and

you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded 0 milligrams of alcohol in 100 millilitres of blood (s. 277.9(2) or (3) and 277.9(4) of the *Highway Traffic Act*);

you did so having, as shown by an analysis of your bodily substance(s), a drug in such a quantity in your body that the analysis indicated its presence (clause 277.91(1)(c) and s. 277.92(1) of the *Highway Traffic Act*);

you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (s. 277.91(9) and clause 277.2(1)(a) of the *Highway Traffic Act*);

you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the *Criminal Code* or section 277.8 or 277.91 of the *Highway Traffic Act* (clause 277.1(1)(d), 277.2(1)(c.2); s. 277.9(4) or 277.91 (4) and 277.92(1) of the *Highway Traffic Act*); or

you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver's license under clause 277.1(1)(c) of the *Highway Traffic Act* (ss. 277.1(3) of the *Highway Traffic Act*).

C. DRIVING PROHIBITION:

You are prohibited from operating a motor vehicle during the period of your suspension, as indicated above.

D. SURRENDER OF DRIVER'S LICENSE:

License surrendered: _____ Yes _____ No

License May Be Claimed At

E. RETURN OF DRIVER'S LICENSE:

Date and Time of Return Personal Mail

Returned by Receipt of License



*Administrative Driving Prohibition and Vehicle Impoundment
Regulations*

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

(EC465/13; 588/18; 750/18)



FORM 3

NOTICE OF DRIVING PROHIBITION

(Section 277.2 (and subsection 277.1(3), 277.9(15) or 277.92(5), if applicable) of the Highway Traffic Act)

A. DRIVER INFORMATION:

NAME
(Last) (First) (Other)

ADDRESS
(Number & Street) (Municipality) (Province) (Telephone)

LICENSE NO. PROV.

DRIVER'S DATE OF BIRTH SEX
day month year

VEHICLE INFO
(Plate No.) (Year) (Make) (Province)

LOCATION DATE TIME
day month year

B.1 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR DRIVER OTHER THAN A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days fromunder the authority of section 277.2 of the Highway Traffic Act.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you operated a motor vehicle or had care or control of a motor vehicle and

- you did so while your ability to operate the motor vehicle was impaired by alcohol, a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the Highway Traffic Act);
- you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood equalled or exceeded 80 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) of the Highway Traffic Act);
- you did so having, as shown by an analysis of your bodily substance(s), a blood drug concentration that equalled or exceeded any blood drug concentration for the drug prescribed under the Criminal Code (clause 277.2(1)(c) of the Highway Traffic Act);
- you did so having, as shown by an analysis of your breath, blood or other bodily substance(s), a blood alcohol concentration and a blood drug concentration that equalled or exceeded the concentrations prescribed under the Criminal Code for the alcohol-drug combination (clause 277.2(1)(c.1) of the Highway Traffic Act); or
- you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the Criminal Code (clause 277.2(1)(c.2) of the Highway Traffic Act).

..... Breath/blood alcohol content

TEMPORARY DRIVER'S LICENSE:

This notice serves as your temporary driver's license which is effective from and expires at the end of 7 days. This temporary driver's license is only valid on the expiry of the 24-hour roadside suspension under subsection 277.2(1.1) of the Highway Traffic Act.

B.2 NOTICE OF 90-DAY DRIVING PROHIBITION (FOR A GRADUATED DRIVER OR DRIVER UNDER THE AGE OF 19 YEARS OR 22 YEARS, AS APPLICABLE)

This is official notification that you are prohibited from operating a motor vehicle for a period of 90 days fromunder the authority of section 277.2 and subsection 277.9(15) or 277.92(5) of the Highway Traffic Act.

REASON:

The undersigned peace officer has reasonable grounds to believe that on or about you, being a graduated driver or under the age of 19 years or 22 years, as applicable, operated a motor vehicle or had care or control of a motor vehicle and

- you did so having, as shown by an analysis of your breath or blood, consumed alcohol in such a quantity that the concentration of alcohol in your blood exceeded 0 milligrams of alcohol in 100 millilitres of blood (clause 277.2(1)(b) and s. 277.9(15) of the Highway Traffic Act);
- you did so having, as shown by an analysis of your bodily substance(s), a drug in such a quantity in your body that the analysis indicated its presence (clause 277.2(1)(c) and s. 277.92(5) of the Highway Traffic Act);
- you did so while your ability to operate the motor vehicle was impaired by alcohol or a drug or a combination of alcohol and a drug (clause 277.2(1)(a) of the Highway Traffic Act);
- you failed or refused, without a reasonable excuse, to comply with a demand made on you under section 320.27 or 320.28 of the Criminal Code or section 277.9 or 277.91 of the Highway Traffic Act (clause 277.1(1)(d), 277.2(1)(c.2), s. 277.9(15) or s. 277.92(5) of the Highway Traffic Act); or
- you performed a physical coordination test or any other test for drugs or a combination of drugs and alcohol and, based on your performance of the test, the peace officer believes that you are unable to safely operate or have care or control of a motor vehicle, and has requested the surrender of your driver’s license under clause 277.1(1)(c) of the Highway Traffic Act.

..... Breath/blood alcohol content

TEMPORARY DRIVER’S LICENSE:

This notice serves as your temporary driver’s license which is effective from and expires at the end of 7 days. This temporary driver’s license is only valid on the expiry of the 24-hour roadside suspension under section 277.2 or subsection 277.9(4) or 277.92(1) of the Highway Traffic Act.

C. SURRENDER OF DRIVER’S LICENSE:

License surrendered: ____ Yes ____ No

License May Be Claimed At

D. RETURN OF DRIVER’S LICENSE:

Date and Time of ReturnPersonalMail

Returned by Receipt of License

D.1 NOTICE - CHILD PRESENT (subsection 264.1(2) Highway Traffic Act:

indicate presence of child/children under the age of 16 when offence was committed.

Name of Child	Date of Birth
Name of Child	Date of Birth
Name of Child	Date of Birth

E. PEACE OFFICER:

PEACE OFFICER'S NAME (PRINT)

PEACE OFFICER'S SIGNATURE

PIN/BADGE NUMBER POLICE AGENCY

F. REVIEW INSTRUCTIONS:

You have the right to have the driving prohibition reviewed by the Registrar under section 277.5 of the *Highway Traffic Act*. You may, within 7 days of being served with this notice of driving prohibition, apply to the Registrar for a review of the driving prohibition by filing an application for review with the Registrar of Motor Vehicles at the Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyses Drive, Summerside, and paying to the Registrar the prescribed fee(s). If your license or permit to operate a motor vehicle issued under the *Highway Traffic Act* was not taken by the peace officer or sent to the Registrar under section 277.2 of the *Highway Traffic Act*, you must surrender it to the Registrar, unless you complete and file with the Registrar a statutory declaration in the prescribed form stating that the license or permit has been lost, stolen or destroyed. An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 277.5 of the *Highway Traffic Act* does not stay the driving prohibition. If you do not apply for a review of the driving prohibition within 7 days, or if the review is unsuccessful, you will be prohibited from operating a motor vehicle for a period of 90 days.

(EC465/13; 465/15; 509/17; 588/18; 750/18)

FORM 4

NOTICE OF DRIVING PROHIBITION

(Section 277.2 and subsection 277.9(15) of the *Highway Traffic Act*)

Revoked by EC465/13

(EC436/07; 427/09; 109/13; 465/13)



SCHEDULE 7

REPORT OF VEHICLE IMPOUNDMENT

(s.255.3(1)(c) of the *Highway Traffic Act*)

Name

Address

Driver Information

License Number

Province

This report is official notification to the Registrar of Motor Vehicles that the above-named driver has been issued a Notice of Impoundment pursuant to section 255.3 of the *Highway Traffic Act*.

I, of the

Peace Officer (please print)

Police Detachment

hereby make oath and say or affirm to the Registrar of Motor Vehicles that I issued a Notice of Impoundment on the above-named driver pursuant to section 255.3 of the *Highway Traffic Act*.

Sworn/Affirmed before me at, County,

in the Province of Prince Edward Island this

..... day of, in the year

.....
Signature of Peace Officer

.....
Commissioner of Oaths

(EC161/00; 509/17)



SCHEDULE 8

REPORT OF DRIVING SUSPENSION OR PROHIBITION

(s.277.4(d) of the *Highway Traffic Act*)

Name

Address

Driver Information

.....(License Number)

(Province)

This report is official notification to the Registrar of Motor Vehicles that the above-named driver has been issued a Notice of Driving Suspension for 30 or 90 days under section 277.1 of the *Highway Traffic Act* or a Notice of Driving Prohibition under section 277.2 of the *Highway Traffic Act*.

I, of the
Peace Officer (please print) Police Detachment

hereby make oath and say or affirm to the Registrar of Motor Vehicles that I issued on the above-named driver a

Notice of Driving Suspension (for 30 or 90 days)(s. 277.1 of the *Highway Traffic Act*); or

Notice of Driving Prohibition (s. 277.2 of the *Highway Traffic Act*)

Sworn/Affirmed before me at, County,
in the Province of Prince Edward Island
thisday of, in the year

.....
Signature of Peace Officer

.....
Commissioner of Oaths

(EC161/00; 109/13; 750/18)