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The increasing role of provincial administrative sanctions in Canadian impaired driving enforcement

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ABSTRACT

Objective: The object of this study is to document the recent shift in Canadian impaired driving enforcement from federal criminal proceedings to provincial administrative sanctions, examine the deterrent impact of these new administrative measures, and review the numerous legal challenges that they have generated.

Methods: This article highlights the expanded role of provincial administrative license suspensions (ALSs) and vehicle impoundments (AVIs) in Canadian impaired driving enforcement, summarizes the evidence of their deterrent impact, and discusses the implications of the related Canadian case law.

Results: Provincial administrative sanctions have been used increasingly, both to supplement and replace federal impaired driving charges. Recent experience in British Columbia and Alberta illustrates the potential traffic safety benefits of enacting comprehensive impairment-related roadside administrative measures. In 2010, British Columbia enacted a package of roadside administrative sanctions, which included mandatory ALSs, AVIs, monetary penalties, license-reinstatement fees, and remedial programs. A study conducted two years later reported that alcohol-related fatal crashes had fallen by 52%. Alberta enacted similar provisions, and saw alcohol-related fatalities decrease by 46% within six months of the legislation coming into force. Although effective, these new roadside sanctions generated a flurry of legal challenges. The cases indicate that while the provinces have broad leeway, there are legal limits on their authority to impose onerous administrative sanctions on drivers, particularly if they are based on a single roadside alcohol or drug-screening test.

Conclusions: With careful drafting, the provinces can enact cost-effective roadside administrative sanctions that have been shown to significantly reduce impaired driving deaths and injuries. The legality of any administrative sanction will likely depend on its severity, the reliability of the test or evidence upon which it is based, and the extent to which the driver has a meaningful opportunity to challenge the decision.

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Introduction

Canada has long had a relatively poor impaired driving record. For example, the American Centers for Disease Control reported that in 2013 Canada had the highest percentage of alcohol-related crash deaths (33.6%) and the second highest rate of alcohol-related crash deaths per 100,000 (1.81) among 20 high-income countries (Sauber-Schatz et al. 2016). Traditionally, federal criminal prosecutions have played the dominant role in Canadian efforts to deter impaired driving. The first provincial¹ impaired driving legislation supplemented the criminal law, imposing lengthy administrative license suspensions (ALSs) on drivers who were charged with, or convicted of, a federal impaired driving offense. Several provinces also briefly suspended the license of drivers who were suspected of being impaired or affected by alcohol or drugs. However, as enforcing the federal impaired driving law became increasingly technical, time-consuming and frustrating, the provincial administrative

provisions were expanded and increasingly used in lieu of federal criminal charges.

By 1999, most provinces had enacted a low blood-alcohol concentration (.05% – .079%) ALS of some kind. Most provinces have since lengthened their ALSs, introduced administrative vehicle impoundments (AVIs), added somewhat similar drug-related provisions, and enacted escalating sanctions and remedial measures for repeat occurrences. The latest generation of provincial administrative provisions are largely implemented at roadside, apply immediately, are not tied to the laying of a federal criminal charge, and include significant ongoing sanctions. While these provisions provide a faster, less costly and more certain means of sanctioning impaired driving than criminal proceedings, they have spawned legal challenges.

This article highlights the expanded role of provincial ALSs and AVIs, examines their reported impact and summarizes the recent legal challenges and their implications.

The shift toward provincial administrative sanctions

Several factors have made the processing of federal impaired driving charges more difficult, including the technical nature of the federal offenses, a flood of challenges under the *Canadian Charter of Rights and Freedoms* [the *Charter*] and questionable legal claims and defenses raised by defense counsel.

In a national police survey, 75% of the officers complained that legal technicalities allowed impaired drivers to escape criminal liability (Jonah et al. 1999). The officers also expressed concern about the inordinate amount of time (an average of 2 hours and 48 minutes) and paperwork (an average of 8.2 forms) that were required to process even a simple impaired driving case. Approximately 30% of the officers reported that they sometimes or frequently let impaired drivers off with a provincial suspension rather than laying criminal charges (Jonah et al. 1999). A police survey in British Columbia appears to indicate that almost half of the officers refused to lay federal charges, even if they concluded that the driver was legally impaired (British Columbia Police Services Division 2000).

While the number of impaired driving incidents known to the police in Canada fell 19% from 1998 to 2018, the number of persons charged with a federal impaired driving offense decreased 38% (Statistics Canada 2019). Prosecutors, also called Crowns, faced their own challenges in trying alcohol-related impaired driving cases. In a national survey, 58% of Crowns and 56% of defense counsel reported that *Charter* issues are always or often a reason for acquittal (Robertson et al. 2009). Fifty-three percent of Crowns surveyed agreed or strongly agreed that their caseload, which was typically more than four times that of defense counsel, made it difficult to prepare adequately. For example, Crowns reported spending an average of 2½ hours preparing for a simple impaired driving case, compared to 11½ hours for defense counsel (Robertson et al. 2009).

Additional pressures have resulted from section 11(b) of the *Charter* which provides that anyone charged with an offense has the right to be tried within a reasonable time. The Supreme Court of Canada has established narrow deadlines for trying cases, a breach of which results in the criminal proceedings being stayed unless the Crown can establish exceptional circumstances. Although these presumptive deadlines may not directly result in many impaired driving cases being stayed, Crowns may drop impaired driving charges or accept a guilty plea to a provincial offense in order to meet impending deadlines in what they consider to be more serious criminal cases.

Even greater challenges arise in drug-impaired driving cases. For example, it was reported that 71% of alcohol-related driving incidents known to the police were cleared by charge in 2015, compared to only 59% of drug-related driving incidents (Perreault 2016). Drug-impaired driving cases took far longer to resolve than alcohol-impaired driving cases (227 vs. 127 days) and required more court appearances (7 vs. 5 appearances). In terms of cases completed in court, drug-impaired driving cases are less likely to result in a guilty verdict (61% vs. 81%) (Perreault 2016). Although

driving after drug use is now more common than driving after alcohol use (Solomon et al. 2018), drug-impaired driving charges constituted only 6% (2,577) of total impaired driving charges (42,770) in 2018 (Statistics Canada 2019).

The sharp decline in alcohol-impaired driving charges and the limited number of drug-impaired charges help explain why Canada's impaired driving charge and conviction rates per 100,000 licensed drivers are about 40% and 25% of the American rates, respectively (Solomon and Chamberlain 2018). The shift away from federal impaired driving law occurred first and most dramatically in British Columbia after it enacted comprehensive ALS and AVI legislation in 2010. While the number of drivers charged with a federal impaired driving offense in British Columbia fell 69% (9,905 to 3,150) from 2010 to 2017, the number of impairment-related ALSs more than doubled (9,285 to 21,551) (Statistics Canada 2019; British Columbia, RoadSafetyBC 2019). Alberta, Saskatchewan, Manitoba, other provinces have followed British Columbia's lead in strengthening their ALS and AVI legislation.

The impact of impairment-related ALSs and AVIs

There is considerable research on the American ALSs that were imposed on individuals charged with a criminal drinking and driving offense. An early study found that these ALSs reduced impaired driving among the general public (general deterrence) and among offenders (specific deterrence) both during and after their suspension periods (Stewart et al. 1989). A 2006 National Highway Traffic Safety Administration (NHTSA) study concluded that the American ALS programs were associated with a 19% decline in alcohol-related fatal crashes (Voas and Lacey 2011). A 2007 meta-analysis of the ALS laws in 46 states reported that they led to significant reductions in single-vehicle nighttime crashes and fatal crashes involving drivers at all blood-alcohol concentrations (BACs) (Wagenaar and Maldonado-Molina 2007). Most recently, NHTSA strongly recommended that all states enact 90-day ALS legislation (Richard et al. 2018)

Positive results were also reported for some Canadian alcohol-related ALS programs (Blais et al. 2015; Byrne et al. 2016). However, by far the most relevant research comes from British Columbia which enacted comprehensive roadside administrative sanctions in 2010.

The legislation included: 3, 7, 30, and 90-day "immediate roadside prohibitions" (IRPs); mandatory roadside AVIs; substantial monetary penalties and license reinstatement fees; escalating sanctions for repeat occurrences; and mandatory driver improvement courses, alcohol interlock orders and other remedial measures. The legislation was controversial and garnered considerable media attention. A study conducted one year after the law came into effect reported that it reduced alcohol-related fatal collisions by 40.4%, alcohol-related injury collisions by 23.4%, and alcohol-related, property-damage-only collisions by 19.5%. There were no significant changes in the corresponding types of non-alcohol collisions (Macdonald et al. 2013). A study conducted

two years after the legislation was implemented reported that total fatal crashes decreased 21%, alcohol-related fatal crashes decreased 52%, and hospital admissions and ambulance calls for road crashes fell 8% and 7.2%, respectively (Brubacher et al. 2014).

Roadside surveys conducted immediately before and shortly after the enactment of the British Columbia legislation were equally positive. The authors reported that the percentage of drivers with BACs above .08% decreased 59%, the percentage with BACs of .05% or more decreased 44%, and the percentage who were positive for alcohol decreased 34%. These were the lowest levels recorded going back to roadside surveys starting in 1995 (Beasley and Beirness 2014). A similar 2018 roadside survey indicated that the percentage of drivers in each of these categories continued to fall (Beirness 2018). The studies did not address the relative effectiveness of the ALSs, the AVIs or the other individual program components, but rather assessed the legislation's impact as a whole. British Columbia reported that by the end of 2018, the legislation had helped to save 463 lives and reduce alcohol-related fatalities by 50% (British Columbia, RoadSafetyBC 2019).

Alberta enacted legislation in 2012 that included mandatory "immediate roadside suspensions" (IRSSs) and roadside AVIs. The government reported that alcohol-related fatalities fell 46% in the six months after the legislation came into force, relative to the five-year average for the same period (Alberta Transportation 2013). The latest data indicate that the percentage of crash deaths involving a drinking driver fell from 19.6% in 2012 to 16.3% in 2016 (Alberta Transportation 2018).

Legal challenges and their implications

The provincial alcohol-related ALSs have been challenged in a series of Supreme Court of Canada cases beginning with the *Egan* case in 1941 (*Provincial Secretary*). The courts have repeatedly held that the provinces have constitutional authority to impose lengthy ALSs on drivers who are charged with, or convicted of, a federal impaired driving offense (typically 90 days and 6-12 months, respectively). The courts have also held that these suspensions do not conflict with the federal *Criminal Code* driving prohibitions. Nor do these provisions violate: section 7 of the *Charter* (the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice); section 11(h) (the prohibition on punishing an offender twice for the same criminal conduct); or section 12 (the prohibition on cruel and unusual treatment or punishment).

Unlike the legislation in the preceding cases, the latest generation of provincial administrative sanctions are imposed immediately at roadside, are based on screening rather than evidentiary testing, and do not include the legal protections inherent in administrative sanctions that are tied to criminal proceedings. These new roadside sanctions generated a flurry of legal challenges. As the following two cases illustrate, the courts have given the provinces broad, but not

unlimited, scope to impose significant roadside alcohol-related administrative sanctions on drivers. The third case addresses the limits on the administrative sanctions that may be imposed on drivers who have been charged with a federal impaired driving offense.

Sivia v. British Columbia (Superintendent of Motor Vehicles), 2011 BCSC 1639

British Columbia's 2010 legislation required police to impose a 3-day IRP on a driver who registered a "Warn" (BAC of .05% – .079%) on an "approved screening device" (ASD) if they had reasonable grounds to believe, as a result of the analysis, that the driver's ability to drive was affected by alcohol. Second and third occurrences within five years resulted in 7 and 30-day IRPs, respectively. Drivers who registered a "Fail" on an ASD (BAC of .08% or more) or who failed to comply, without a reasonable excuse, with a demand for the ASD test were subject to a 90-day IRP. The police had discretion to impose an AVI on drivers who received a 3 or 7-day IRP but were required to impose a 30-day AVI on drivers who were subject to a 30 or 90-day IRP.

The legislation included mandatory monetary penalties ranging from \$200 (3-day IRP) to \$500 (90-day IRP) and a \$250 license reinstatement fee. As a matter of administrative policy, drivers subjected to a 90-day IRP had to complete the "Responsible Driver Program" (\$880) and participate in the alcohol interlock program for one year (approximately \$1,650). These sanctions were imposed based on a single roadside ASD test. Drivers had a right to request a second breath test on a different ASD, but the police were not required to inform them of this right. Drivers who paid the required application fee could seek a review of the IRP, but the grounds for challenging the decision were very limited.

In *Sivia*, the Court rejected all but one of the constitutional challenges to the 3, 7, 30, and 90-day IRPs and accompanying sanctions. However, the 90-day IRP based on registering a Fail on a single ASD test was held to infringe section 8 of the *Charter* (the prohibition on unreasonable search or seizure) and could not be justified as a reasonable limit under section 1. The Court discussed at length the collateral fees, penalties and costs associated with the 90-day IRP, noting that these amounted to over \$4,000. The onerous consequences of the 90-day IRP and the limited means of challenging the underlying ASD test rendered the provision unreasonable.

The IRP legislation continued to generate numerous unsuccessful appeals and cross-appeals. The British Columbia Court of Appeal (*Sivia 2* 2014) and the Supreme Court of Canada (*Goodwin* 2015) subsequently affirmed the trial decision in *Sivia*, but only regarding 90-day IRPs based on a single roadside ASD test. British Columbia amended its legislation in 2012, requiring the police to inform drivers of their right to take a second test on a different ASD and that the lower of the two test results would prevail. The police were also required to submit sworn reports to the Superintendent which included information on the calibration of the ASD, and the grounds for appealing the officer's

decision were broadened. These changes will minimize the challenges to the province's alcohol-related IRPs.

However, numerous issues remain. While the trial court in *Sivia* upheld the constitutionality of the 3, 7 and 30-day ALSs based on a single ASD test, the appellate courts have not considered this issue. Similarly, the constitutionality of imposing 90-day, alcohol-related ALSs and 30-day AVIs based on a single failed standardized field sobriety test (SFST) has not been addressed. Nor have the courts determined whether additional legal safeguards will be required for drug-related ALSs and AVIs, given that oral-fluid drug tests (Blencowe et al. 2011) and drug-related SFSTs (Bosker et al. 2012) are less reliable than ASD testing for alcohol. One option is to give drivers who fail a roadside oral fluid test or drug-related SFST the right to take an evidentiary blood-drug test or submit to a drug recognition evaluation. This approach presents additional concerns. For example, a single evidentiary blood-drug test may cost several hundred dollars, and it may take months to get the results. Nevertheless, this option provides the most reliable means of confirming the roadside test and would likely minimize potential legal challenges.

Wilson v. British Columbia (Superintendent of Motor Vehicles), 2015 SCC 47

In *Wilson*, the driver was issued a 3-day IRP after registering a Warn on two different ASDs. He challenged the interpretation of the underlying statutory provision, which required the police to issue a 3-day IRP to a driver who registers a Warn if they have “reasonable grounds to believe, as a result of the analysis, that the driver’s ability to drive is affected by alcohol.” The driver claimed the section was ambiguous and that registering a Warn, in and of itself, does not meet the “reasonable grounds to believe” requirement. Rather, the police must introduce additional evidence, such as erratic driving, slurred speech or other signs, indicating that the driver’s ability to drive was affected by alcohol. Since no such additional evidence was adduced, the driver claimed that the police had no authority to issue the IRP and that it had to be quashed.

The Supreme Court of Canada rejected the driver’s argument, ruling that the ASD reading alone met the statutory requirement for issuing the IRP. The Court focused on the specific wording of the section which expressly required the officer’s belief about the individual’s ability to drive to be based on the ASD reading. However, in the absence of such a direct statutory link, the driver’s argument might well have prevailed. This problem could have been avoided had registering a Warn been made the sole criterion for imposing the IRP. The fact that the Supreme Court of Canada had to resolve this apparently simple statutory interpretation issue indicates that even modest ALS sanctions will come under intense legal scrutiny. The case should encourage the provinces to define the grounds for imposing ALSs as simply and clearly as possible.

Sahaluk v. Alberta (Transportation Safety Board), 2017 ABCA 153

Sahaluk addresses the issue of whether imposing an indefinite ALS on drivers who are charged with a federal impaired driving offense violates the *Charter*. The ALSs applied immediately and remained in effect until the charge was withdrawn, or the accused was convicted or acquitted. The majority of the Court of Appeal held that the indefinite ALS infringed the presumption of innocence and the right to a fair trial under section 11(d) of the *Charter* and was “sufficiently punitive, and sufficiently tied to the criminal prosecution” to infringe a driver’s liberty interest under section 7. The majority concluded that these *Charter* violations could not be justified under section 1 but stayed the declaration of invalidity for a year. The dissenting justice acknowledged that the provision was harsh, but after thoroughly reviewing the existing authorities, concluded that it did not violate sections 7 or 11(d).

The Alberta government decided not to appeal the decision and amended the provision limiting the ALS to 90 days. While the amendment averted one *Charter* issue, it will likely generate another. In addition to the 90-day ALS, the amendment imposes a further 1-year ALS on these drivers, unless they participate in an alcohol interlock program. The interlock requirement applies even if the impaired driving charge and automatic 90-day ALS involved no alcohol and there is no indication that the driver has an alcohol problem. Forcing these drivers to abstain from driving for an additional year or participate in an expensive remedial program that is irrelevant to their sanctioned conduct will likely invite *Charter* challenges.

Conclusion

Provincial administrative sanctions have been used increasingly to supplement and replace federal impaired driving charges. Despite recent *Criminal Code* amendments, enforcing the federal impaired driving offenses will remain a relatively protracted, labor-intensive and uncertain process. This is particularly true compared to the most recent generation of provincial ALSs and AVIs which are imposed at roadside, include significant administrative fees and penalties, and are linked to driver improvement, alcohol interlock and other remedial programs. Recent experience in British Columbia and Alberta illustrates the potential traffic safety benefits of enacting comprehensive impairment-related roadside administrative measures.

Although the provinces have been given broad leeway, there are limits on their authority to impose onerous administrative sanctions on drivers, particularly if they are based on a single roadside alcohol or drug-screening test. In order to minimize possible legal challenges, open-ended ALSs should not be imposed, any remedial measures should be relevant to the sanctioned conduct, and drivers should be given an opportunity to seek a review of the officer’s decision. In general terms, the legality of any set of administrative sanctions will likely depend on their severity, the reliability of the test or evidence upon which it is based, and

whether the driver has a meaningful opportunity to challenge the decision. *Sivia*, *Sivia 2*, *Goodwin*, *Wilson*, and *Sahaluk* provide the best indication of how the Canadian courts will balance and apply these three interrelated factors. While the cases to date provide a framework for drafting roadside alcohol-related administrative provisions, there is less clarity regarding the roadside drug-related sanctions.

We are not able to assess the criminal processing of impaired driving cases or the other factors impacting the potential role of administrative sanctions in other countries. Nevertheless, at least in Canada, carefully drafted roadside administrative sanctions are proving to be a far faster, less costly and more certain means of sanctioning and deterring impaired driving than criminal proceedings.

References

- Alberta Transportation. 2013. Fatalities in alcohol-involved collisions July-December. Edmonton (CA): Alberta Transportation; [accessed 2019 Dec 12]. <https://www.transportation.alberta.ca/content/docType4789/production/AlcoholFatalities2012.pdf>.
- Alberta, Office of Traffic Safety. 2018. Alberta Traffic Collision Statistics 2016. Edmonton (CA): Alberta Transportation. [accessed 2019 Dec 12]. <https://open.alberta.ca/dataset/25020446-adfb-4b57-9aaa-751d13dab72d/resource/edf10f2d-9056-4d34-8470-9378f590c80d/download/ar2016.pdf>.
- Beasley E, Beirness D. 2014. Alcohol and drug use among drivers following the introduction of immediate roadside prohibitions in British Columbia: findings from the 2012 roadside survey. Victoria (CA): Office of the Superintendent of Motor Vehicles. p. 11.
- Beirness D. 2018. Alcohol and drug use in British Columbia: findings from the 2018 roadside survey. Ottawa (CA): Beirness and Associates, Inc. p. 11.
- Blais E, Bellavance F, Marcil A, Carnis L. 2015. Effects of introducing an administrative .05% blood alcohol concentration limit on law enforcement patterns and alcohol-related collisions in Canada. *Accid Anal Prev.* 82:101–111. doi:10.1016/j.aap.2015.04.038
- Blencowe T, Pehrsson A, Lillsunde P, Vimpari K, Houwing K, Smink B, Mathijssen R, Van der Linden T, Legrand SA, Pil K, et al. 2011. An analytical evaluation of eight on-site oral fluid drug screening devices using laboratory confirmation results from oral fluid. *Forensic Sci Int.* 208(1–3):173–179. doi:10.1016/j.forsciint.2010.11.026
- Bosker WM, Kuypers KPC, Theunissen EL, Surinx A, Blankespoor RJ, Skopp G, Jeffery WK, Walls HC, Leeuwen CJ, Ramaekers JG. 2012. Medicinal Δ^9 -tetrahydrocannabinol (dronabinol) impairs on-the-road driving performance of occasional and heavy cannabis users but is not detected in Standard Field Sobriety Tests. *Addiction.* 107(10):1837–1844. doi:10.1111/j.1360-0443.2012.03928.x
- British Columbia, Police Services Division. 2000. Safe roads, safe communities. Victoria (CA): Ministry of the Attorney General, Public Safety and Regulatory Branch. p. B-4.
- British Columbia, RoadSafetyBC. 2019. Administrative alcohol and drug related driving prohibitions. Victoria (CA): Ministry of Public Safety and Solicitor General. [accessed 2019 Dec 12]. <https://www2.gov.bc.ca/assets/gov/driving-and-transportation/driving/publications/admin-alcohol-drug-driving-prohibitions-october-2019.pdf>.
- Brubacher JR, Chan H, Brasher P, Erdelyi S, Desapriya E, Asbridge M, Purcell R, Macdonald S, Schuurman N, Pike I. 2014. Reduction in fatalities, ambulance calls, and hospital admissions for road trauma after implementation of new traffic laws. *Am J Public Health.* 104(10):e89–e97. doi:10.2105/AJPH.2014.302068
- Byrne P, Ma T, Mann R, Elzohairy Y. 2016. Evaluation of the general deterrence capacity of recently implemented (2009-2010) low and Zero BAC requirements for drivers in Ontario. *Accid Anal Prev.* 88: 56–67. doi:10.1016/j.aap.2015.12.002
- Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982. c. 11.
- Goodwin v. British Columbia (Superintendent of Motor Vehicles)*, 2015 SCC 46.
- Jonah B, Yuen L, Au-Yeung E, Paterson D, Dawson N, Thiessen R, Arora H. 1999. Front-line police officers' practices, perceptions and attitudes about the enforcement of impaired driving laws in Canada. *Accid Anal Prev.* 31(5):421–43.
- Macdonald S, Zhao J, Martin G, Brubacher J, Stockwell T, Arason N, Steinmetz S. 2013. The impact on alcohol-related collisions of the partial decriminalization of impaired driving in British Columbia. Canada. *Accid Anal Prev.* 59:200–205.
- Perreault S. 2016. Impaired driving in Canada, 2015. Ottawa (CA): Statistics Canada.
- Provincial Secretary of Prince Edward Island v. Egan*, [1941] SCR 396.
- Richard C, Magee K, Bacon-Abdelmoteleb P, Brown J. 2018. Countermeasures that work: a highway safety countermeasures guide for state highway safety offices. 9th ed., 2017. Washington (DC): NHTSA. p. 1–15.
- Robertson R, Vanlaar W, Simpson H. 2009. National survey of Crown prosecutors and defence counsel on impaired driving. Ottawa (CA): Traffic Injury Research Foundation. p. xi, p. 70.
- Sauber-Schatz E, Ederer D, Dellinger A, Baldwin G. 2016. Vital signs: motor vehicle injury prevention – United States and 19 comparison countries. *Morb Mortal Wkly Rep.* 65(26):672–677. doi:10.15585/mmwr.mm6526e1
- Sivia v. British Columbia (Superintendent of Motor Vehicles)*, 2014 BCSC 79 [*Sivia 2*].
- Solomon R, Chamberlain E. 2018. The road to traffic safety: mandatory breath screening and Bill C-46. *Can. Crim Law Rev.* 23(1):1–42.
- Solomon R, Chamberlain E, Vandenberghe M. 2018. Canada's new cannabis-related driving legislation: The elusive quest for an effective deterrent. *Can Crim Law Rev.* 23:265–290.
- Statistics Canada. 2019. Table 35-10-0177-01: Incident-based crime statistics, by detailed violations, Canada, provinces, territories, and Census Metropolitan Areas. Ottawa (CA): Statistics Canada.
- Stewart K, Gruenewald P, Roth T. 1989. An evaluation of administrative per se laws. Bethesda (MD): PIRE. p. 39.
- Voas R, Lacey J. 2011. Alcohol and highway traffic safety 2006: a review of the state of knowledge. Washington (DC): NHTSA. p. xxxii.
- Wagenaar A, Maldonado-Molina M. 2007. Effects of drivers' license suspension policies on alcohol-related crash involvement: long-term follow-up in forty-six states. *Alcohol Clin Exp Res.* 31(8):1399–1406.