

# AALS

## Alberta Administrative Licence Suspension Program

### What is AALS?

The Alberta Administrative Licence Suspension Program (AALS) 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 (excluding Impaired Driving). 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?

As of December 1, 1999, any driver charged with an alcohol-related offence will be issued a Notice of Suspension/Disqualification – the official AALS 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 AALS notices issued to?

Any driver who is charged with an alcohol-related offence will receive an AALS 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?

AALS 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.

### 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 AALS 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.

### 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. An appeal will cost \$125 for a non-personal hearing and \$250 for an in-person hearing before the Alberta Transportation Safety Board (Board). 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.

continued on other side of page



## **When can I appeal the suspension/disqualification?**

1. The legislation governing the Board under Section 45(2) of the Traffic Safety Act places a 30-day limitation period on appeals to the Board.
2. The Board cannot proceed with an appeal unless the application is received within 30 days from the date the Notice of Suspension/Disqualification was deemed served (date of issue of the Notice of Suspension/Disqualification).
3. If an application is received after the 30-day limitation period, the application fee and supporting documentation will be returned to you separately.

## **The grounds for appeal under Section 39 of the Traffic Safety Act, are if:**

1. You can prove that you did not produce a breath or blood sample that was over 80mg% while you operated or had care or control of a motor vehicle,  
or
2. You can prove that you did not refuse a demand to supply a breath or blood sample while you operated or had care or control of a motor vehicle.

## **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 AALS form you were given and the Certificate of Analyses 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 AALS suspension still stands, unless your appeal to the Alberta Transportation Safety Board is successful. 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 SuperPages™ for a Registry Agent near you. An Alberta Registry Agent is your best source of information for AALS inquiries. You can also log on at:

<http://www.gov.ab.ca/gs/information/registries/ran.cfm>