



BILL NO. 2

Government Bill

*1st Session, 61st General Assembly
Nova Scotia
58 Elizabeth II, 2009*

**An Act to Amend Chapter 293
of the Revised Statutes, 1989,
the Motor Vehicle Act, to
Increase the Penalties for Impaired Drivers**

CHAPTER 21
ACTS OF 2009

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 5, 2009**

The Honourable Bill Estabrooks, MB
Minister of Transportation and Infrastructure Renewal

*Halifax, Nova Scotia
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**An Act to Amend Chapter 293
of the Revised Statutes, 1989,
the Motor Vehicle Act, to
Increase the Penalties for Impaired Drivers**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 241(1) of Chapter 293 of the Revised Statutes, 1989, the *Motor Vehicle Act*, is amended by

- (a) adding “, any suspension under Section 279C” immediately after “vehicles” in the eighth line; and**
- (b) adding “, suspension” immediately after “conviction” in the eleventh line.**

2 (1) Subsection 279C(1) of Chapter 293, as enacted by Chapter 32 of the Acts of 1998, is amended by striking out “may” in the sixth line and substituting “shall”.

(2) Subsection 279C(2) of Chapter 293, as enacted by Chapter 32 of the Acts of 1998 and amended by Chapter 11 of the Acts of 1999, is further amended by

- (a) adding “and not exceeding eighty milligrams” immediately after “more” in the seventh line; and**
- (b) striking out “may” in the eighth line and substituting “shall”.**

(3) Subsection 279C(3) of Chapter 293 is repealed.

(4) Subsection 279C(4) of Chapter 293, as enacted by Chapter 32 of the Acts of 1998, is amended by

- (a) striking out “, (2) or (3)” in the second line and substituting “or (2)”;**
- (b) striking out “revoked” and substituting “suspended” in the seventh line; and**
- (c) striking out “twenty-four hours” in the eighth line and substituting the following:**
 - (a) seven days in the case of a first suspension within the last ten years;**
 - (b) fifteen days in the case of a second suspension within the last ten years; or**
 - (c) thirty days in the case of a third or subsequent suspension within the last ten years,**

(5) Subsection 279C(6) of Chapter 293, as enacted by Chapter 32 of the Acts of 1998, is amended by striking out “revocation and” in the sixth line.

(6) Subsection 279C(10) of Chapter 293, as enacted by Chapter 32 of the Acts of 1998 and amended by Chapter 42 of the Acts of 2004, is further amended by

(a) striking out “and” at the end of clause (a); and

(b) striking out clause (b) and substituting the following clauses:

(b) provide the person with a written statement of the time at which the suspension takes effect and acknowledging receipt of the person’s driver’s license that is surrendered and provide the person with such other information as prescribed by the Registrar; and

(c) advise the Registrar of the suspension in the form and manner prescribed by the Registrar.

(7) Section 279C of Chapter 293, as enacted by Chapter 32 of the Acts of 1998 and amended by Chapter 11 of the Acts of 1999 and Chapter 42 of the Acts of 2004, is further amended by adding immediately after subsection (10) the following subsections:

(10A)The Registrar shall record every suspension under this Section on the operating record of the person whose license is suspended.

(10B)The peace officer who requested the surrender of a license under this Section shall

(a) issue a notice of suspension to the driver in accordance with subsection (4); and

(b) seize and dispose of the license as directed by the Registrar.

(10C)At the end of the suspension period, a person may apply in the form and manner prescribed by the Registrar for reinstatement of the person’s license upon payment of the reinstatement fee prescribed by the regulations.

3 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
