

CONDUCT REVIEW POLICY

for Heavy Vehicle Drivers



FOREWORD

On January 1, 2006, the Québec government amended the *Act respecting owners and operators of heavy vehicles*¹ to include a driver component. The purpose of the amendment was to make heavy vehicle drivers more responsible for road safety and for protecting the integrity of the road network. To fulfill the requirements of the amended Act—the name of which was changed to the *Act respecting owners, operators and drivers of heavy vehicles*—the Société de l'assurance automobile du Québec (SAAQ) drafted the *Conduct Review Policy for Heavy Vehicle Drivers* (hereinafter the “Policy”).

This Policy applies to heavy vehicle drivers who hold a driver's licence issued by the SAAQ and who travel in Québec or elsewhere in Canada at the wheel of a heavy vehicle registered in Québec. It sets out the rules for keeping records on heavy vehicle drivers and the procedures for assessing their conduct. The goal is to identify drivers who are most at risk and to intervene with them as quickly as possible in order for them to change their conduct and become safer drivers.

In 2018 and 2019, the Policy's conduct review and intervention procedures were entirely revised. One of the goals of this revision was to better identify the drivers who present the greatest risk in order to help them improve their compliance with the rules that govern the use of a heavy vehicle.

Several amendments to the Policy's conduct review and intervention procedures have resulted from this revision exercise. The most important of these changes are the following:

- introducing a new approach to assessing critical offences;
- introducing a new offence weighting scale;
- incorporating the notion of “age of events”;
- incorporating the notion of “repeat offences of the same nature”;
- separating the “Operational Safety” conduct area into two distinct conduct areas, i.e., “Traffic Rules” and “Use of a Heavy Vehicle”;
- incorporating new prevention and awareness-raising measures.

As part of the revision process, the SAAQ will closely monitor the effects of the amendments to the Policy's conduct review and intervention procedures. This monitoring will be carried out over a period of two years after the amendments come into force. Adjustments will be made to the conduct review and intervention procedures as required.

1 Reference: CQLR, chapter P-30.3

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1. Purpose of the Policy

The purpose of the *Act respecting owners, operators and drivers of heavy vehicles* is to improve road safety and to protect the integrity of the road network. Under the Act, the Société de l'assurance automobile du Québec (SAAQ) must:

- compile a record on every heavy vehicle driver to monitor and assess his or her conduct;
- set up an administrative policy to identify drivers who represent a risk to road safety or the integrity of the road network, and intervene by contacting them;
- refer the records of drivers who are at risk to the Commission des transports du Québec (CTQ) so it can analyze their conduct and decide whether corrective measures need to be imposed.

The *Conduct Review Policy for Heavy Vehicle Drivers* (Policy) describes the conduct review mechanism and the rules that serve as a basis for the interventions carried out by the SAAQ.

2. Who Is Subject to the Policy?

The Policy applies to all heavy vehicle drivers who hold a driver's licence issued by the SAAQ and who travel in Québec or elsewhere in Canada at the wheel of a heavy vehicle registered in Québec.

The Policy only applies to heavy vehicle drivers when they are carrying out their duties as part of their employment.

3. Responsibilities of Heavy Vehicle Drivers

The conduct review is based on the responsibilities of heavy vehicle drivers. These responsibilities are determined by the laws and regulations of the government and municipalities of Québec, and by similar laws and regulations in other Canadian jurisdictions that apply to heavy vehicle drivers licenced in Québec who travel elsewhere in Canada.

Heavy vehicle drivers must ensure they hold a valid driver's licence of the appropriate class for the heavy vehicle they drive, as well as any required endorsements, and that they abide by any licence conditions. Among other things, they must comply with:

- traffic rules and the general requirements set forth in the *Highway Safety Code*;
- the provisions of the *Highway Safety Code* and the *Regulation respecting safety standards for road vehicles* with regard to the circle check;
- the provisions of the *Regulation respecting the hours of driving and rest of heavy vehicle drivers*;
- the requirements for driving a heavy vehicle transporting dangerous substances; and
- the provisions of the *Criminal Code*.

4. Conduct Record

Section 22 of the *Act respecting owners, operators and drivers of heavy vehicles*² stipulates that the SAAQ must keep a record, based on the information reported to it, on every heavy vehicle driver. This record includes all the events that have occurred in any Canadian jurisdiction while the driver was behind the wheel of a heavy vehicle registered in Québec. Events are entered in the conduct record as soon as the SAAQ is notified of their occurrence. Equivalency rules have been established under an agreement with the other Canadian jurisdictions.

Drivers only have one record, even if they work for more than one operator at a time or if they change employers. They are responsible for checking their conduct record periodically to stay abreast of any events that have been entered and apply for corrections to be made, as applicable.

The documents that contain information from a heavy vehicle driver's conduct record and the manner in which to obtain them are presented in Section 9.

2 Reference: CQLR, chapter P-30.3

5. Ongoing Review of Conduct on the Road

In order to accurately identify drivers who present a risk to road safety and the integrity of the road network, the SAAQ carries out an ongoing conduct review.

The ongoing conduct review considers **events observed on the road** (offences, “driver” out-of-service orders and accidents). Each event observed is given a **weighting** associated with its severity (on a scale of 1 to 6 points).³

All events and their respective weighting are entered in the heavy vehicle driver’s record in **four distinct conduct areas**. A **threshold value (the number of points that must not be reached)** has been established for each conduct area.

The events and their respective weighting that appear in the driver’s record remain there for a **sliding period of two years**.⁴ As this period moves forward in time, events and their weighting that have been listed for more than two years are withdrawn, and more recent events are added.

Table 1 summarizes the types of events that are taken into consideration in each of the four conduct areas and provides each conduct area’s threshold value (the number of points that must not be reached). Section 5.1 describes all the events taken into consideration, as well as their respective weighting.

Interventions by the SAAQ

The SAAQ intervenes with drivers when they have reached or exceeded 50%, 75% or 100% of the threshold value (the number of points that must not be reached) for any of the conduct areas that apply, and it intervenes immediately in other situations (refer to the intervention process presented in Section 6).

3 Critical alcohol- or drug-related driving offences and fatal accidents are not weighted and result in an immediate intervention by the SAAQ (refer to the list of such offences in Table 3 and the intervention process in Section 6).

4 Critical alcohol- or drug-related driving offences remain in the record for a period of 10 years.

Table 1**Conduct Areas and Events Taken Into Consideration in the Ongoing Review of a Heavy Vehicle Driver’s Conduct**

Conduct Area	Events Taken Into Consideration	Threshold Value (number of points that must not be reached)
Traffic Rules	Any offence related to the various traffic rules, such as rules regarding speed, stop signs, road signs and traffic signals.	16 points
Use of a Heavy Vehicle	Any offence related to the various rules that govern the use of a heavy vehicle, such as hours of driving and off-duty time, the circle check, cargo securement and transportation of dangerous substances, any violation of the obligations set forth in the <i>Act respecting owners, operators and drivers of heavy vehicles</i> , as well as any “driver” out-of-service orders.	14 points
Involvement in Accidents ⁵	Any “at-fault accident” resulting in injury, for which a peace officer has filed an accident report. Any “at-fault accident” with property damage only, provided all the following conditions are met: <ul style="list-style-type: none"> • A peace officer has filed an accident report. • One of the vehicles involved in the accident had to be towed. • The property damage is higher than \$2,000. 	9 points
Overall Driver Conduct	The sum of all events entered in the driver’s record.	17 points

5.1 Nature and weighting of events taken into consideration in the ongoing conduct review

The events taken into consideration in the ongoing conduct review and their respective weighting are listed in the following subsections.

Each event is assigned a weighting on the basis of the risk it represents to the safety of road users and the integrity of the road network.

Events are generally weighted on a scale of 1 to 5 points. Critical offences, however, are assigned a weighting of 6 points, except for critical alcohol- or drug-related driving offences.

⁵ Fatal “at-fault” accidents are not weighted and are not considered in the “Involvement in Accidents” conduct area, as they result in the record being immediately referred to the CTQ.

5.1.1 Offences

In addition to offences committed under the *Highway Safety Code*, other offences are taken into consideration in the ongoing conduct review of the driver.⁶ These offences are violations of the provisions set forth in the following laws and regulations:

- *Criminal Code*;
- *Act respecting owners, operators and drivers of heavy vehicles*;
- *Transportation Act*;
- *Regulation respecting road vehicles used for the transportation of school children*;
- *Regulation respecting road vehicles adapted for the transportation of handicapped persons*;
- Municipal by-laws with equivalencies in the *Highway Safety Code*.

The offences taken into consideration are offences observed **on the road**:

- that were the subject of a statement of offence served on the driver;

OR

- that were the subject of a general offence report;

OR

- of which the driver has pleaded or been found guilty.

The SAAQ takes these offences into consideration in the ongoing conduct review as soon as it is informed of their existence, even if they have not yet been the subject of a conviction or guilty plea.

However, the SAAQ:

- no longer considers, in a driver's ongoing conduct review, offences:
 - that have been the subject of a cancellation, a withdrawal or a refusal to prosecute,
 - of which the driver has been found not guilty,
 - for which no general offence report was served by the prosecuting body within the limitation period;
- makes concordance amendments as to the nature of the offence and its weighting, if applicable, when an offence is amended during the penal process.

The above adjustments are made as soon as the SAAQ receives notification of any of these developments.

⁶ Offences committed by the driver are also entered in the operator's record and taken into consideration in the operator's ongoing conduct review.

All of these offences are assigned a weighting of **1 to 6 points** and are entered in the corresponding conduct area. The list of offences and their weighting is presented in a table in Appendix 3.

Certain offences are events that are considered serious enough in terms of road safety or the integrity of the road network to be qualified as **serious offences**, as they significantly increase the risk of accident. These offences are assigned a weighting of **3, 4 or 5 points** and are entered in the corresponding conduct area. They are presented *in italics* in Appendix 3.

Differentiated weighting

Certain offences are assigned one weighting in the conduct record of the driver and a different weighting in the conduct record of the operator. As such, certain offences committed by drivers are assigned a higher weighting in the driver's conduct review, as they are primarily the driver's responsibility. These are offences related to:

- not having a valid driver's licence of the appropriate class;
- not complying with seat belt requirements;
- driving while under penalty;
- using a cell phone or any other mobile device;
- alcohol- or drug-related driving events.

For the weighting differences between operators and drivers for these offences, refer to the list of offences in Appendix 3.

5.1.1.1 Critical offences

Critical offences are offences that represent a high risk to road safety or the integrity of the road network. They are assigned a weighting of **6 points** and entered in the corresponding conduct area in the driver's conduct review.

The critical offences are listed in Table 2. These are offences under the *Highway Safety Code* (HSC), the *Act respecting owners, operators and drivers of heavy vehicles* (AOODHV), and the *Criminal Code* (CC). Certain critical offences provided for under the *Highway Safety Code* have an equivalency in certain municipal by-laws.

Table 2
Critical Offences by Conduct Area

Section	“Traffic Rules” Conduct Area ⁷
HSC 105	Driving a heavy vehicle with a licence that is under a penalty
HSC 146	Using a document that could be mistaken for a licence
HSC 299	Exceeding the speed limit by 41 km/h or more
HSC 303.2	Exceeding the speed limit by 41 km/h or more
HSC 328, 329	Exceeding the speed limit by 41 km/h or more
CC 220, 221	Criminal negligence (causing death or bodily harm)
CC 236	Involuntary manslaughter
CC 320.13(1)	Dangerous driving
CC 320.13(2)	Dangerous driving causing bodily harm
CC 320.13(3)	Dangerous driving causing death
CC 320.16(1)	Failing to stop after an accident
CC 320.16(2)(3)	Failing to stop after an accident resulting in bodily harm or death
CC 320.17	Driving while being pursued by a peace officer and without a reasonable excuse for fleeing or failing to stop the vehicle

Section	“Use of a Heavy Vehicle” Conduct Area
HSC 519.6	Driving a heavy vehicle with a major mechanical defect
HSC 519.8.1, subpar. (3) of the 1st par.	Failing to abide by a driving prohibition while being the subject of a “driver” out-of-service order
HSC 519.34	Failing to abide by a “driver” out-of-service order issued by a peace officer
HSC 646	Travelling with dangerous substances in a tunnel

⁷ Transportation-related offences committed under sections of the *Criminal Code* that were in force before December 18, 2018 (249, 249.1, 252, 253, 254 and 255) are also considered critical offences. A conviction under any of these sections after the coming into force of this Policy is entered in the “Traffic Rules” conduct area and assigned a weighting of 6 points, except for alcohol- or drug-related driving offences.

Section	“Use of a Heavy Vehicle” Conduct Area
A00DHV 48	Operating or driving a heavy vehicle despite being prohibited from doing so
HSC 513	Exceeding the maximum total loaded mass indicated on a special permit by 20% or more
HSC 513	Exceeding the maximum total loaded mass indicated on a Minister’s permit by 15% or more
HSC 513	Exceeding the maximum total loaded mass indicated on a Class 5 or 6 special permit by 10% or more
HSC 513	Operating an oversized vehicle without a police escort, where such an escort is a condition of a special permit
HSC 513	Exceeding the maximum size authorized for a heavy vehicle indicated on a special permit (s. 513), including the load, by: <ul style="list-style-type: none"> • 0.5 metres or more, for the height • 1 metre or more, for the width • 5 metres or more, for the length • 2.5 metres or more, for any overhang in the front, rear and sides of the vehicle

Critical alcohol- or drug-related driving offences

The alcohol- or drug-related driving offences provided for under the *Highway Safety Code* and the *Criminal Code* are taken into consideration in the driver’s conduct review as soon as a statement of suspension (procès-verbal) suspending the driver’s licence (sections 202.4, 202.4.1 and 202.5 of the *Highway Safety Code*) is served on the driver of a heavy vehicle, regardless of the final outcome of any criminal or penal proceedings.⁸

No weighting is assigned for these offences, as they result in the record being referred to the CTQ. These offences remain in the heavy vehicle driver’s record for 10 years. Critical alcohol- or drug-related driving offences are described in Table 3.

⁸ If the SAAQ is notified of a criminal or penal conviction for an alcohol- or drug-related driving offence where no statement of suspension (procès-verbal) suspending the driver’s licence was served on the driver upon being intercepted, or where no such statement appears in the record, the offence is taken into consideration and the driver’s record is referred to the CTQ.

Table 3
Critical Alcohol- or Drug-Related Driving Offences⁹

Section	Description
HSC 202.2 (202.4, subpar (2) of the 1st par.)	Driving or having the care or control of a heavy vehicle with a learner's licence or a probationary licence and with alcohol in one's body
HSC 202.2 (202.4, subpar. (2) of the 1st par.)	Driving or having the care or control of a heavy vehicle with alcohol in one's body, if the driver is 21 years of age or younger
HSC 202.2.1.1 (202.4, subpar. (3) of the 1st par.)	Driving or having the care or control of a bus or minibus with alcohol in one's body
HSC 202.2.1.2 (202.4, subpar. (4) of the 1st par.)	Driving or having the care or control of a heavy vehicle with a blood alcohol concentration equal to or above 50 mg of alcohol per 100 ml of blood, where the heavy vehicle is neither a bus nor a minibus
HSC 202.3 (202.5)	Failing or refusing to obey the order of a peace officer, in particular to submit to physical coordination tests or to provide a breath or blood sample
HSC 202.4, subpar. (1) of the 1st par.	Driving or having the care or control of a vehicle with a blood alcohol concentration equal to or above 80 mg of alcohol per 100 ml of blood
HSC 202.4.1, subpar. (1) of the 1st par.	Driving with the presence of drugs in one's body (evaluating officer)
HSC 202.4.1, subpar. (2) of the 1st par. ¹⁰	Driving with the presence of drugs in one's body (saliva test)
HSC 443	Driving while having consumed an alcoholic beverage, cannabis or other drugs (on board a heavy vehicle)
CC 320.14(1)(a)	Driving or having the care or control of a vehicle while impaired
CC 320.14(1)(b)	Driving a vehicle with a blood alcohol concentration equal to or above 80 mg of alcohol per 100 ml of blood
CC 320.14(1)(c)	Operating a vehicle with a blood drug combination above the prescribed limit
CC 320.14(1)(d)	Operating a vehicle with a blood alcohol concentration and blood drug concentration above the prescribed limits where both alcohol and a drug are present
CC 320.14(4)	Operating a vehicle while impaired by a drug (lower concentration)

⁹ Sections in parentheses refer to administrative penalties applied on the spot for these offences (length of the driver's licence suspension period).

¹⁰ This section was not in force on this edition's date of publication.

Section	Description
CC 320.14(2)	Operating a vehicle while impaired, and causing bodily harm
CC 320.14(3)	Operating a vehicle while impaired, and causing death
CC 320.15	Failing or refusing to obey an order from a peace officer made under section 320.27 or 320.28

5.1.1.2. Offences for which a statement of offence was served or a plea entered under a municipal by-law

Offences for which a statement of offence was served or a plea entered under a municipal by-law are taken into consideration in the driver's conduct review. They concern the following offences:

- offences committed under a municipal by-law;
- offences committed under the *Highway Safety Code* but for which a plea was entered under a municipal by-law.

To be taken into consideration in the driver's conduct review, such offences must have an equivalent *Highway Safety Code* offence and result in demerit points¹¹ under the *Regulation respecting demerit points*. Offences that result in demerit points¹² are related to:

- speeding (sections 299, 303.2, 328 and 329 of the *Highway Safety Code*);
- speed or careless action (section 327 of the *Highway Safety Code*);
- passing vehicles in a zigzag pattern (section 342 of the *Highway Safety Code*);
- failing to obey a red traffic light (sections 359 and 360 of the *Highway Safety Code*);
- failing to obey a stop sign (sections 368, 369 and 370 of the *Highway Safety Code*).

The weighting assigned is the weighting established for the equivalent *Highway Safety Code* offence in Appendix 3. The offence is entered in the corresponding conduct area.

5.1.2 “Driver” out-of-service orders

“Driver” out-of-service orders are issued as a result of violations of certain provisions of the *Regulation respecting the hours of driving and rest of heavy vehicle drivers*. These out-of-service orders are assigned a weighting of 5 points and entered in the “Use of a Heavy Vehicle” conduct area.

Special provisions

If a “driver” out-of-service order is imposed and one or more statements of offence or general offence reports are served during the same intervention for the offence directly related to the out-of-service order, only the out-of-service order is considered in the conduct review and

¹¹ See section 111 of the *Highway Safety Code*.

¹² For the complete list of offences that result in demerit points, refer to the *Regulation respecting demerit points*.

assigned a weighting of **5 points**. Statements of offence or general offence reports related to the same offence as the out-of-service order are entered in the driver's record in the applicable conduct area without any weighting.

If a statement of offence or general offence report is served on the driver for any offence other than the one directly related to the out-of-service order, it is taken into consideration in the conduct review and assigned the appropriate weighting.

However, a "driver" out-of-service order is entered in a driver's record but is not assigned any weighting when both of the following conditions are fulfilled:

- The driver is found not guilty of the offence directly related to the "driver" out-of-service order, or the offence was cancelled, withdrawn, was the subject of a refusal to prosecute, or no general offence report was served for that offence within the one-year limitation period.
- No other statements of offence or general offence reports directly related to the out-of-service order were served.

The special provisions of this section do not apply to "driver" out-of-service orders imposed by another Canadian jurisdiction, or to statements of offence served by another Canadian jurisdiction in relation to the hours of driving and rest. These special provisions also do not apply when a "driver" out-of-service order is imposed alone, without a statement of offence being served. In that case, the out-of-service order is assigned the weighting of 5 points.

5.13 Accidents

An accident is entered in the driver's record and taken into consideration in his or her conduct review as soon as the SAAQ receives the accident report filled out by a peace officer for any of the following situations:

- A heavy vehicle's load or a portion thereof or any of its equipment, or a piece of a heavy vehicle component or part, or a portion of a combination of road vehicles, falls or breaks off or shifts position.
- A heavy vehicle rolls over, goes out of control or exits the road.
- A heavy vehicle hits another vehicle, an animal, a fixed object or a person outside the heavy vehicle.

In addition, accidents with property damage only must combine all of the following characteristics:

- A peace officer filled out an accident report.
- One of the vehicles involved in the accident had to be towed away.
- The property damage is valued at more than \$2,000.¹³

¹³ Property damage refers to any material damage caused to any of the vehicle units involved in the accident, including their contents and their load. Property damage also includes damage caused to federal, provincial and municipal property, as well as damage caused to the property of any individual, organization, company or corporation.

Accidents are assigned a weighting as follows:

- Accidents with property damage only:
 - **1 point** for an accident with property damage only that occurs on the territory of the island of Montréal, in the municipalities of Longueuil, Laval and Québec,¹⁴ or on the exclusive towing network (“réseau routier de remorquage exclusif”);¹⁵
 - **2 points** for an accident with property damage only that occurs outside the exclusive towing network, the territory of the island of Montréal or the aforementioned municipalities, or that occurs in another Canadian jurisdiction.

- Accidents resulting in injury:

Accidents resulting in injury are assigned a weighting based on whether or not the indication “transport par ambulance” (ambulance transportation) appears in the accident report:

- If the accident report indicates that ambulance transportation was provided to any of the individuals involved in the accident, the accident is assigned a weighting of **4 points**.
- If the accident report does not indicate that ambulance transportation was provided, the accident is assigned a weighting of **2 points**.

This provision concerning ambulance transportation does not apply to accidents resulting in injury that occur in another Canadian jurisdiction, as no information about ambulance transportation is sent to the SAAQ. As a result, accidents resulting in injury that occur in another Canadian jurisdiction are assigned a weighting of **4 points**.

- Fatal accidents:

No weighting is assigned to fatal accidents, as they are grounds for referring the driver’s record to the CTQ.

Proof of non-liability for an accident

An accident is considered to be an “at-fault” accident if any part of it is the fault of the driver or caused by mechanical defects of the heavy vehicle.

If drivers consider that they are not responsible for an accident, they must ask their employer (the operator) to send them proof of non-liability for the accident, or ask their employer to send this proof to the SAAQ. The procedure to follow is described in Appendix 7 of the *Conduct Review Policy for Heavy Vehicle Owners and Operators*. If the proof is accepted, the accident will no longer be considered in the driver’s conduct review, but it will remain in the driver’s record with no weighting.

If the employer refuses to send proof of non-liability, the driver can apply to have liability for the accident withdrawn from his or her conduct review (refer to Section 8 of this Policy).

¹⁴ The territory of L’Ancienne-Lorette is included in that of Québec City.

¹⁵ In reference to the highway network of the metropolitan region of Montréal.

5.1.4 Events occurring in other Canadian jurisdictions

Events (offences, accidents, “driver” out-of-service orders) occurring in other Canadian jurisdictions concerning a heavy vehicle registered in Québec are entered in the record of a driver who holds a driver’s licence issued in Québec as they were reported by the peace officers and transmitted by the jurisdiction concerned. These events are considered in the driver’s ongoing conduct review in accordance with the provisions set forth in this Policy.

Appendix 4 presents the table of equivalency codes established by the Canadian Council of Motor Transport Administrators (CCMTA) for offences, along with the corresponding weighting that applies in Québec.

A heavy vehicle driver who wishes to have corrections made to a statement of offence, an accident report or any other document issued by a Canadian jurisdiction other than Québec must file an application with the jurisdiction concerned.

5.2 Notion of “age of events”

The notion of “age of events” has the effect of decreasing by half the weighting of offences and “driver” out-of-service orders when they have appeared in a driver’s record for more than one year (as of the 366th day after the date of an event until the 730th day).

This notion applies to all offences and “driver” out-of-service orders taken into consideration in the driver’s conduct review that occurred in Québec or elsewhere in Canada.

This notion does not apply to:

- critical offences; or
- accidents entered in the “Involvement in Accidents” conduct area.

For example, an offence for which 4 points were entered in a heavy vehicle driver’s record is assigned a weighting of 2 points one year after the date on which it was committed (4 points divided by 2 equals 2 points).

If the decrease in the weighing results in a fraction, the fraction is used. For example, 1 point divided by 2 equals 0.5 points.

5.3 Notion of “repeat offences of the same nature”

This notion has the effect of entering additional points if “repeat offences of the same nature” are committed. It applies to any offences¹⁶ of the same nature committed in Québec or elsewhere in Canada that have been taken into consideration in the driver’s ongoing conduct review. **The notion of repeat offences of the same nature applies as soon as a heavy vehicle driver’s record includes two offences of the same nature during the ongoing conduct review period.**

¹⁶ Offences for which statements of offence or general offence reports have been served or for which guilty pleas have been entered or guilty verdicts rendered.

This notion does not apply to:

- offences assigned a weighting of 1 or 2 points;
- “driver” out-of-service orders;
- accidents entered in the “Involvement in Accidents” conduct area.

5.3.1 Definition of the expression “offences of the same nature”

An offence is deemed to be of the same nature if it was committed **under the same section of a law and assigned the same weighting**¹⁷ as another offence already entered in the driver’s conduct record. For certain types of offences, however, special provisions apply (see subsections A and C below).

For example, an offence committed under section 359 of the Highway Safety Code for failing to stop at a red light and another offence committed under section 360 of the Highway Safety Code for failing to stop at a flashing red light are not considered repeat offences of the same nature, even if they are assigned the same weighting of 5 points, as they are not offences committed under the same section of the Highway Safety Code.

Special Provisions

A) Offences related to speeding

The notion of “repeat offences of the same nature” applies to speeding-related offences that are assigned the same weighting, regardless of the section of the law under which they were committed (299, 303.2, 328, 329 of the *Highway Safety Code* or equivalent sections of a municipal by-law).

For example, an offence committed under section 299 of the Highway Safety Code for exceeding the speed limit that was assigned a weighting of 3 points and another offence committed under section 303.2 for exceeding the speed limit that was also assigned a weighting of 3 points are considered repeat offences of the same nature.

B) Offences related to load and size limits and the conditions of special permits (section 513 of the *Highway Safety Code*)

The notion of “repeat offences of the same nature” applies to offences related to load and size limits and the conditions of a special permit committed under section 513 of the *Highway Safety Code* and assigned the same weighting, provided they also belong to the same subgroup, from among the following:

- offences related to axle loads and total loaded mass, regardless of the type of overload (axle or total mass);
- offences related to size limits;

¹⁷ Refer to the initial weighting of the offence established in Appendix 3 of this Policy, and not the decreased weighting assigned after applying the age-of-events notion (Section 5.2 of this Policy).

- offences related to the operation of a road train;
- offences related to the conditions of a special permit.

For example, an axle load offence that is assigned a weighting of 4 points and another offence related to the conditions of a special permit that is also assigned a weighting of 4 points are not considered repeat offences of the same nature because they do not belong to the same subgroup.

C) Offences committed outside Québec

The notion of “repeat offences of the same nature” also applies to offences committed outside Québec with the same equivalency code and the same weighting. The equivalency codes are presented in Appendix 4.

5.3.2 Additional points for having committed repeat offences of the same nature

If a heavy vehicle driver is in a situation of having committed repeat offences of the same nature, i.e., **as soon as a second offence of the same nature is committed**, additional points are added to the points already accumulated in the corresponding conduct area. These additional points are equivalent to 20% of the threshold value (the number of points that must not be reached) for that conduct area.

Clarification concerning the “Overall Driver Conduct” conduct area

When a driver is in a situation of having committed repeat offences of the same nature in any of the conduct areas, additional points are also entered in the “Overall Driver Conduct” conduct area. These additional points are equivalent to 20% of the threshold value (the number of points that must not be reached) for the “Overall Driver Conduct” conduct area and are added to the points already accumulated in that conduct area.

For example, a driver has committed two offences of the same nature in the “Traffic Rules” conduct area. The driver will therefore have 3.2 points (20% multiplied by 16 [threshold value for that conduct area] added to the points already accumulated in the “Traffic Rules” conduct area. The driver will also have 3.4 points (20% multiplied by 17 [threshold value for the “Overall Driver Conduct” conduct area] added to the points already accumulated in the “Overall Driver Conduct” conduct area.

Information in the *Monitoring of Heavy Vehicle Driver Conduct* document

Information concerning repeat offences of the same nature appears in the *Monitoring of Heavy Vehicle Driver Conduct* document for each of the conduct areas in the ongoing conduct review (see Appendix 1).

6. Intervention Process

The SAAQ systematically intervenes with drivers on the basis of the conduct review carried out under this Policy. While many of the interventions stemming from the driver's ongoing conduct review are carried out as a series of gradually escalating steps, certain events (fatal accidents and critical alcohol- or drug-related driving offences) trigger an immediate intervention.

The SAAQ's interventions aim to:

- inform drivers that their record has deteriorated;
- make them aware of the importance of rectifying their risky conduct before their record is referred to the CTQ;
- inform drivers that their record will be referred to the CTQ, as applicable.

As part of each of these interventions, the SAAQ sends the driver a letter or a notice, along with his or her *Monitoring of Heavy Vehicle Driver Conduct* document.

6.1 Intervention procedure related to the ongoing conduct review

The SAAQ intervenes in a series of gradually escalating steps as a driver's record deteriorates and the driver presents an increasingly greater risk. The SAAQ also intervenes immediately in certain situations.

The gradually escalating interventions are based on the percentage of the threshold value (the number of points that must not be reached) the driver has reached in any of the four conduct areas.

6.1.1 First-level warning letter

The SAAQ sends a first-level warning letter to a driver who has reached or exceeded 50% of the threshold value for any of the conduct areas.

6.1.2 Second-level warning letter

The SAAQ sends a second-level warning letter to a driver who has reached or exceeded 75% of the threshold value for any of the conduct areas.

6.1.3 Notice that the driver's record is being referred to the CTQ

Notice that their driver's record is being referred to the CTQ is sent to drivers:

- once they have reached or exceeded 100% of the threshold value for any of the conduct areas;
- when a **fatal accident** is entered in their record;
- when they commit a **critical alcohol- or drug-related driving offence**.

This notice is sent to drivers by registered mail and informs them that their record has deteriorated and must be referred to the CTQ. As of the date the notice is sent, drivers have 15 business days to demonstrate to the SAAQ that any of the events on record should be amended, corrected or withdrawn. After that deadline, the driver's record is sent to the CTQ for analysis.

After analysis, the CTQ may impose conditions on drivers and take any other measures it deems appropriate and reasonable to get them to rectify their conduct. If the CTQ concludes that a driver is unfit to drive a heavy vehicle as a result of deficient conduct that, in the CTQ's opinion, cannot be rectified by the imposition of conditions, it may prohibit that driver from driving a heavy vehicle.

6.2 Intervention procedures for prevention and awareness-raising

Information letters are sent to drivers when any of the situations described below occur.

6.2.1 Information letter for critical offences

The SAAQ sends an information letter to drivers as soon as a critical offence is entered in their record, as this type of offence represents a high risk to road safety and the integrity of the road network.

6.2.2 Information letter for serious offences

The SAAQ sends an information letter to drivers as soon as a serious offence is entered in their record, as this type of offence represents a serious risk to road safety and the integrity of the road network.

6.2.3 Information letter for repeat offences of the same nature

This measure has been added to the Policy in order to make the heavy vehicle driver aware that the repeat offences of the same nature may indicate an issue regarding poor driving practices and allow the driver to implement corrective measures where appropriate.

An information letter is sent to the driver when offences of the same nature have been committed repeatedly. Additional points are therefore entered along with those already accumulated in the conduct area concerned, as well as in the "Overall Driver Conduct" conduct area, as indicated in section 5.3 of the Policy.

6.2.4 Notices of non-compliance issued for information and awareness-raising purposes

Notices of non-compliance are issued for information purposes to heavy vehicle drivers by carrier enforcement officers during roadside interventions with a view to helping them better meet their obligations as users of heavy vehicles. These notices **are not considered in the driver's ongoing conduct review and they do not appear in the driver's conduct record.**

Notices of non-compliance appear in their own statement, entitled *Statement Concerning Notices of Non-Compliance Issued to a Heavy Vehicle Driver*, that is separate from the *Monitoring of Heavy Vehicle Driver Conduct* document. This statement contains information on the notices of non-compliance the driver has been issued, including the number and nature of such notices. The procedure to obtain this statement is the same as the procedure to request the *Monitoring of Heavy Vehicle Driver Conduct* document presented in Section 9.1 of this Policy.

To raise a driver's awareness, and for information purposes only, the events resulting in notices of non-compliance are assigned the same weighting as if a statement of offence or a general offence report had been served, instead of a notice of non-compliance issued. As part of this awareness-raising exercise, the *Statement Concerning Notices of Non-Compliance Issued to a Heavy Vehicle Driver* includes, for each applicable conduct area, both the points associated with the notices of non-compliance, and the points assigned for any actual events entered in the *Monitoring of Heavy Vehicle Driver Conduct* document. This provides an idea of what the driver's conduct review would look like if the events resulting in notices of non-compliance had actually been taken into consideration in assessing the driver's conduct.

When a warning letter provided for in Section 6.1 of this Policy is sent to a driver for having reached or exceeded 50% or 75% of a threshold value for a given conduct area, the driver may also be informed, if applicable, that he or she would have reached a higher level of intervention for that conduct area had the notices of non-compliance he or she was issued also been taken into consideration. In such cases, the *Statement Concerning Notices of Non-Compliance Issued to a Heavy Vehicle Driver* is included with the warning letter.

6.3 Sending record updates to the CTQ

The SAAQ may send the CTQ an update of a driver's record that has already been referred to the CTQ in order to point out any of the following situations that are likely to provide additional grounds for the CTQ's decisions:

- Events have been added to the driver's record since it was referred to the CTQ.
- A new reason for referring the record to the CTQ has been added.
- The driver has reached or exceeded 125% of the threshold value for any of the conduct areas. A new update is subsequently sent to the CTQ each time the driver further exceeds the threshold value by an additional 25%.

6.4 Driver's record referred to the CTQ and flagged for special monitoring following a hearing

This measure has been implemented to monitor the conduct of heavy vehicle drivers whose records are referred to the CTQ for an evaluation of their conduct, where that conduct is considered to present a risk pursuant to the conduct review procedures set forth in this Policy.

This “special monitoring” applies to drivers who have been called to a hearing before the CTQ after their record was referred by the SAAQ pursuant to the conduct review and intervention procedures set forth in this Policy.

The monitoring procedure after a hearing before the CTQ:

- starts as of the date of the hearing before the CTQ;
- only takes into account events that have occurred after the date of the hearing; and
- takes place over a period of one year following the date of the hearing before the CTQ.¹⁸

Information letter sent to the CTQ regarding the special monitoring

The SAAQ informs the CTQ if, in the year that follows the date of the driver's hearing before the CTQ, the driver has reached or exceeded 50% of the threshold value for any of the conduct areas, regardless of the reason for which the record was previously referred. A letter is sent to the CTQ along with the conduct record of the driver concerned. The driver receives a certified copy of this letter.

The CTQ then decides whether the driver is to be called to another hearing. The CTQ may impose new measures or penalties on the driver, as applicable.

7. Referring a Record to the CTQ in Exceptional Situations

The second paragraph of section 25 of the *Act respecting owners, operators and drivers of heavy vehicles* provides that the SAAQ may, after a summary assessment, submit to the CTQ the record of any heavy vehicle driver, owner or operator:

- in the case of an emergency;
- when a situation has endangered the safety of the users of roads open to public vehicular traffic or threatened the integrity of those roads.

¹⁸ The driver's ongoing conduct review, which is carried out over a period of two years as indicated in this Policy, takes place independently of this special monitoring.

8. Adjusting Records

The SAAQ may have to make adjustments to the contents of a driver's conduct record. It can do so at any time, either on its own initiative or at the driver's request.

When heavy vehicle drivers apply to have a correction made to an event that appears in their record, they must fill out the form entitled *Application to Have a Conduct Record Adjusted – Heavy Vehicle Owners, Operators or Drivers*. This form is presented in Appendix 5 and available online at saaq.gouv.qc.ca/conduct-record-adjustment. They must also provide the SAAQ with the required information or proof in support of their application. The type of proof required varies based on the nature of the adjustment to be made. To facilitate processing of the application, the SAAQ may ask the driver to contact the operator directly to obtain this proof.

Drivers must fax or mail their written application for an adjustment to:

Direction des politiques, de la performance et des relations avec le milieu

Société de l'assurance automobile du Québec
333, boulevard Jean-Lesage, E-4-32
Case postale 19600, succursale Terminus
Québec (Québec) G1K 8J6
Fax: 418-643-1896

Any adjustments are confirmed to the driver in writing. An updated copy of the *Monitoring of Heavy Vehicle Driver Conduct* document is also sent to the driver if the application for an adjustment is accepted.

If the record has already been referred to the CTQ, the SAAQ also sends a letter to the CTQ notifying it of this adjustment.

9. Obtaining a Record

The two following documents contain information from a heavy vehicle driver's conduct record:

- *Monitoring of Heavy Vehicle Driver Conduct* (see Appendix 1);
- *Information Concerning the Driver's Record* (see Appendix 2).

9.1 *Monitoring of Heavy Vehicle Driver Conduct* document

This document presents a heavy vehicle driver's conduct record and is organized by conduct area. It specifies the threshold value (the number of points that must not be reached) for each conduct area.

This document includes any events on Canadian roads in which a driver was involved while operating a heavy vehicle registered in Québec. The document provides details of any events related to the heavy vehicle driver's actions in the course of his or her duties, regardless of which operator was using that driver's services when the events occurred.

Among other things, this document presents the following information:

- any events that resulted in the immediate referral of the driver's record to the CTQ;
- any critical alcohol- or drug-related driving offences;
- any accidents in which the driver was involved and the associated number of points;
- any offences and "driver" out-of-service orders and the associated number of points;
- the total number of points accumulated by the driver in each conduct area.

The document also indicates whether the CTQ has prohibited the driver from driving a heavy vehicle.

Obtaining a copy of the *Monitoring of Heavy Vehicle Driver Conduct* document

To obtain, free of charge, a copy of the *Monitoring of Heavy Vehicle Driver Conduct* document, drivers must submit a request themselves. They can do so:

Online: saaqclic.saaq.gouv.qc.ca/en

In person: at a service centre

By email: courrier@saaq.gouv.qc.ca

By telephone

1-800-554-4814

- Monday, Tuesday, Thursday and Friday, from 8:30 a.m. to 4:30 p.m.
- Wednesday, from 9:30 a.m. to 4:30 p.m.

By mail

Direction des politiques, de la performance et des relations avec le milieu

Société de l'assurance automobile du Québec
Case postale 19600, succursale Terminus
Québec (Québec) G1K 8J6

For reasons of security and the protection of personal information, this document is mailed to the driver at the address that appears in his or her record.

9.2 *Information Concerning the Driver's Record* document

This document provides a general overview of a driver's record (all types of vehicles combined). It includes a section that summarizes any events related to driving a heavy vehicle registered in Québec. If any events appear in this section, the driver can request a copy of the *Monitoring of Heavy Vehicle Driver Conduct* document for more details.

Obtaining the *Information Concerning the Driver's Record* document

To obtain, free of charge, a copy of the *Information Concerning the Driver's Record* document, drivers must submit a request themselves. They can do so:

Online

saaqcllc.saaq.gouv.qc.ca/en

By telephone

1-800-361-7620

For reasons of security and the protection of personal information, this document is mailed to the driver at the address that appears in his or her record.

Any person other than the driver who wishes to obtain a copy of this document must have the authorization of the driver concerned. For the procedure to follow and to obtain the applicable forms, refer to the SAAQ website at saaq.gouv.qc.ca/en/drivers-licences/driving-record-request.

10. Coming Into Force and Transitional Provisions

This new edition of the Policy comes into force on February 17, 2023. The new conduct review and intervention procedures will apply retroactively to all of the events already entered in a heavy vehicle driver's record. However, application of the following conduct review and intervention procedures will begin on the date the new edition of the Policy comes into force:

- taking into consideration offences which have an equivalency in the *Highway Safety Code* and that result in demerit points for which a statement of offence has been served or a plea entered pursuant to a municipal by-law;
- adjusting the weighting assigned to accidents resulting in injury based on whether or not the accident report¹⁹ makes reference to ambulance transportation;
- prevention and awareness-raising interventions in connection with notices of non-compliance.

¹⁹ For accidents resulting in injury that occurred before February 17, 2023, heavy vehicle drivers may submit an application to have their record adjusted to correct the weighting assigned to the accident if they can demonstrate, by providing a copy of the accident report, that there was no ambulance transportation. To facilitate the processing of the application, the driver may ask the operator involved to send the report to the SAAQ.

APPENDIX 1

MONITORING OF HEAVY VEHICLE DRIVER CONDUCT

Société de l'assurance automobile Québec



Avec vous, au cœur de votre sécurité

Monitoring of Heavy Vehicle Driver Conduct

This document only includes driving-related events that concern heavy vehicles registered in Québec and operated in Canada. For a complete driving record, you must obtain a copy of the *Information Concerning the Driver's Record* document.



JEAN IMPRUDENT
1464 BOUL DE LA SÉCURITÉ
QUÉBEC QC G1G 3N1

Date (Year-Month-Day)

2023-05-11

Identification Number

1123456789101

1. Decision rendered by the Commission des transports du Québec (CTQ)

You are authorized to drive heavy vehicles.

2. Conduct review periods

Alcohol- or drug-related events: from 2013-05-11 to 2023-05-10.

Other events: from 2021-05-11 to 2023-05-10.

3. Ongoing review

	Number of events taken into consideration			Number of points			
	In Québec	Outside Québec	Total	For events	For repeat offences ¹	Total	Threshold value (must not be reached)
"Traffic Rules" (see Section 5)	2	0	2	7.5	3.2	10.7 (66%)	16
"Use of a Heavy Vehicle" (see Section 6)	2	0	2	4	0	4 (28%)	14
"Involvement in Accidents" (see Section 7)	0	0	0	0	S.O.	0 (0%)	9
"Overall Driver Conduct" ²	4	0	4	11.5	3.4	14.9 (87%)	17

1. In the case of repeat offences of the same nature, additional points equal to 20% of the threshold value (the number of points that must not be reached) are added to the corresponding conduct area.

2. Additional points equal to 20% of the threshold value are also added to the "Overall Driver Conduct" conduct area when points for repeat offences have been added to any of the other conduct areas.

4. Critical events triggering an immediate referral to the CTQ

This section includes:

- fatal accidents;
- critical alcohol- or drug-related driving offences.

No critical events.

This column lists the additional points that have been entered for repeat offences of the same nature (new measure, see page 17).

In this example, 3.2 additional points (20% X 16) have been entered, as the driver has committed two offences of the same nature in the "Traffic Rules" conduct area.

When additional points for repeat offences of the same nature are entered in a conduct area, additional points are also entered in the "Overall Driver Conduct" conduct area. The points entered are equivalent to 20% of the threshold value (number of points that must not be reached), i.e., 3.4 points (20% X 17).

Société de l'assurance automobile du Québec

7110A 90 (2021-12) Original document in French

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Offences for which a statement of offence was served or a plea entered under a municipal by-law are now taken into consideration in the conduct review of the driver. The equivalent section of the *Highway Safety Code* appears in the legal reference column (see page 14).

The notion of "age of events" has the effect of decreasing by half the weighting of offences and "driver" out-of-service orders when they have appeared in a driver's record for more than one year (as of the 366th day after the date of an event until the 730th day) (see page 17).

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au cœur de votre sécurité

Jean Imprudent

Date (Year-Month-Day)

2023-05-11

Identification Number

1123456789101

5. "Traffic Rules" conduct area

This section includes offences related to traffic rules, such as speed limits, stop signs and other road signs and traffic signals.

Date	Prov./Terr.	Description	Carrier ID number Licence plate	Event number Legal reference ¹	Status	Weighting
Repeat offences of the same nature						
2022-02-03	QC	Cellphone / portable device	11111111 L123ABC	1004002138811245 CSR 443.1 111	Issued	2.5
2023-03-06	QC	Cellphone / portable device	11111111 L123ABC	407043722 CSR 443.1 11	Issued	5.0

- In the case of offences outside Québec, the Canadian Council of Motor Transport Administrators (CCMTA) equivalency code appears in parentheses.
- Section of the *Highway Safety Code* corresponding to a municipal by-law.

Total points for offences	7.5
Additional points for repeat offences	3.2
Total	10.7

6. "Use of a Heavy Vehicle" conduct area

This section includes:

- offences related to the various rules governing the use of a heavy vehicle, including those that concern hours of driving and off-duty time, the circle check, cargo securement and the transportation of dangerous substances;
- "driver" out-of-service orders.

Date	Prov./Terr.	Description	Carrier ID number Licence plate	Event number Legal reference ¹	Status	Weighting
2021-11-24	QC	Failure to obey sign/signal	11111111 L123ABC	1004001118438300 CSR 291 55	Issued	1.5
2022-02-09	QC	Refusal to halt in safe area	11111111 L123ABC	1004001118461971 CSR 470.1 52	Issued	2.5

- In the case of offences outside Québec, the CCMTA equivalency code appears in parentheses.
- Section of the *Highway Safety Code* corresponding to a municipal by-law.

Total points for offences	4.0
Additional points for repeat offences	0.0
Total	4.0

7. "Involvement in Accidents" conduct area

This section includes:

- accidents resulting in injury for which a peace officer filed an accident report;
- accidents involving only damage to property for which a peace officer filed an accident report, where the conditions provided for in the *Conduct Review Policy for Heavy Vehicle Drivers* are met.

No accidents.

Repeat offences of the same nature are listed by the corresponding statute section and initial weighting. In this group for section 443.1 of the *Highway Safety Code*, the initial weighting of 5 points is considered in determining whether the offence is a repeat offence of the same nature, rather than the weighting decreased by half after one year.

The total number of points for a conduct area is the sum of the points entered for offences and the additional points entered for repeat offences when the driver has committed repeat offences of the same nature (under the same statute section and assigned the same weighting).

Avec vous,
au cœur de votre sécurité

Jean Imprudent

Date (Year-Month-Day)

2023-06-22

Identification Number

1123456789101

Previously Section 7.
Section 8 will now always
appear in the *Monitoring
of Heavy Vehicle Driver
Conduct* document.

8. Other events

This section includes events involving a heavy vehicle and its driver that are not taken into consideration when assessing the heavy vehicle driver's conduct.

No events.

The new Section 9 will
only appear if a hearing
before the CTQ has taken
place over the previous
two years (see Section 6.4
on page 22).

9. Special monitoring following the hearing held on 2021-08-06

This section provides an overview of the ongoing conduct review since the hearing before the CTQ. Only those events that have occurred since the hearing are taken into consideration.

	Number of events taken into consideration			Number of points			
	In Québec	Outside Québec	Total	For events	For repeat offences ¹	Total	Threshold value (must not be reached)
"Traffic Rules" (see Section 5)	2	0	2	7.5	3.2	10.7 (66%)	16
"Use of a Heavy Vehicle" (see Section 6)	2	0	2	4	0	4 (28%)	14
"Involvement in Accidents" (see Section 7)	0	0	0	0	0	0 (0%)	9
"Overall Driver Conduct" ²	4	0	4	11.5	3.4	14.9 (87%)	17

1. In the case of repeat offences of the same nature, additional points equal to 20% of the threshold value (the number of points that must not be reached) are added to the corresponding conduct area.
2. Additional points equal to 20% of the threshold value are also added to the "Overall Driver Conduct" conduct area when points for repeat offences have been added to any of the other conduct areas.

For any information concerning this document, please contact the SAAQ.

Mailing address: **Direction des politiques, de la performance et des relations avec le milieu**
Société de l'assurance automobile du Québec
Édifce Jean-Lesage
333, boulevard Jean-Lesage, E-4-32
Case postale 19600, succursale Terminus
Québec (Québec) G1K 8J6


Toll-free: 1-800-554-4814 (Québec, Canada, United States)

Fax: 418-643-1896

Email: courrier@saaq.gouv.qc.ca

APPENDIX 2

INFORMATION CONCERNING THE DRIVER'S RECORD

Société de l'assurance automobile Québec Avec vous, au cœur de votre sécurité	Information Concerning the Driver's Record						
 JEAN IMPRUDENT 1464 BOUL DE LA SÉCURITÉ QUÉBEC QC G1K 8J6	<table border="1"><tr><td>Date</td></tr><tr><td>May 11, 2023, 08:47</td></tr><tr><td>Identification Number</td></tr><tr><td>I123456789101</td></tr><tr><td>Passenger Vehicle Experience</td></tr><tr><td>176 months</td></tr></table>	Date	May 11, 2023, 08:47	Identification Number	I123456789101	Passenger Vehicle Experience	176 months
Date							
May 11, 2023, 08:47							
Identification Number							
I123456789101							
Passenger Vehicle Experience							
176 months							
Driver's Licence							
Status 2023-05-11: No active penalties.							
Category	Expiry	Classes	Conditions	Endorsements			
	2024-10-11	5 6D 8					
Licence status							
GRU_80202 Valid							
Driving experience by licence class in months and days							
Class:	5	6D	8				
Driver's licence:	152-06	181-07	152-06				
Probationary licence:	024-10	024-10	024-10				
Learner's licence:	008-23						
Demerit points							
Number of demerit points as of which a penalty is imposed based on your demerit point bracket: 15. You currently have 7 demerit points in your record.							
Offences Resulting in Demerit Points							
This section lists offences entered in your record in the last 2 years that have resulted in demerit points.							
Offence date	Conviction date	Legal reference	Brief description	Demerit points			
2022-02-03	2023-02-27	CS443.1	Cellphone/portable device	05			
2020-09-14	2021-06-29	CS328	Speeding	02			
Excessive Speeding Offences							
Your record does not include any excessive speeding offences.							
Distracted Driving Offences							
This section lists offences under section 443.1 of the <i>Highway Safety Code</i> related to the use of a cell phone, another portable device (designed to send or receive information or to be used for entertainment purposes) or a display screen that have been entered in your record in the last 2 years.							
Offence date	Conviction date	Legal reference	Brief description				
2022-02-03	2023-02-27	CS443.1	Cellphone/portable device				
Société de l'assurance automobile du Québec							
5690A 90 (2023-09)		Original document in French		Page 1 of 3			

Avec vous,
au cœur de votre sécurité

Imprudent
Jean

Date

May 11, 2023, 08:47

Identification Number

1123456789101

Penalties Imposed Under the *Highway Safety Code* and Other Laws

This section includes:

- active and pending penalties;
- penalties resulting from demerit points entered in your record over the past 2 years and penalties resulting from *Criminal Code* offences entered in your record over the past 10 years, except those that have led to a pardon, if applicable. Expired or pardoned penalties are taken into account when calculating repeat offences;
- immediate administrative penalties for distracted driving offences entered in your record over the past 2 years and other immediate administrative penalties imposed during the past 3 years, except 24-hour penalties.

Affected documents	Effective date	Settlement or suspension	Status	Brief description	Offence date	Conviction date
Driver's licence	2022-02-03	2022-02-06	Terminated	Distracted driving suspension (SAE)-CS443.3	2022-03-03	2022-02-03

Information Related to Driving a Heavy Vehicle

The events listed below have been entered in your heavy vehicle driver conduct record. For additional details regarding the events in your record and their weighting under the *Conduct Review Policy for Heavy Vehicle Drivers*, request your *Monitoring of Heavy Vehicle Driver Conduct* document via your file on our web portal at saaq.gouv.qc.ca.

Statements of Offence and "Driver" Out-of-Service Orders While at the Wheel of a Heavy Vehicle Registered in Québec

This section lists:

- statements of offence you have been served, offences of which you have been convicted and out-of-service orders you have been issued concerning events that have taken place in the past 2 years;
- immediate alcohol- or drug-related administrative penalties imposed in the past 10 years.

Event date	Conviction date	Legal reference	Brief description	Province	Speed recorded	Speed limit
2021-11-24		HSC.291 55	Failure to obey sign/signal	QC		
2022-02-03		HSC.443.1 111	Cellphone/portable device	QC		
2022-02-09		HSC.470.1 52	Refusal to halt in safe area	QC		
2022-11-04		HSC.93.1 12		QC		
2023-03-06		HSC.443.1 11	Cellphone/portable device	QC		

The offences preceded by an asterisk may also be listed in the sections "Offences Resulting in Demerit Points," "Excessive Speeding Offences" and "Penalties Imposed Under the *Highway Safety Code* and Other Laws."

Avec vous,
au cœur de votre sécurité

Imprudent
Jean

Date

May 11, 2023, 08:47

Identification Number

I123456789101

Accidents While at the Wheel of a Heavy Vehicle Registered in Québec

Your record does not include any accidents in which you were involved while at the wheel of a heavy vehicle registered in Québec.

APPENDIX 3

TABLE OF OFFENCES WITH THEIR WEIGHTING, AS THEY APPLY TO A HEAVY VEHICLE DRIVER (HVD) OR A HEAVY VEHICLE OWNER OR OPERATOR (HVOO)²⁰

The list that follows includes all the sections of the *Highway Safety Code* (HSC), the *Transport Act* (Act T-12), the *Act respecting owners, operators and drivers of heavy vehicles* (AOODHV), the *Regulation respecting road vehicles used for the transportation of school children* (T-SC), and the *Criminal Code* (CC) that are considered in assessing the conduct of heavy vehicle drivers. The sections are grouped together according to the conduct areas they fall under in the ongoing conduct review of heavy vehicle drivers, and according to the severity of the associated offences (number of points assigned). For a more detailed description of each offence, refer to the section cited.

Weighting scale

Offences are weighted on a scale from 1 to 6 points according to their severity. Critical offences have a weighting of 6 points, whereas serious offences, shown in italics in the table,²¹ have a weighting of 3, 4 or 5 points, as the case may be.

²⁰ Refer to the chart at the end of the table for explanations of the weighting of the offences indicated in blue.

²¹ Serious offences appear in italics in the sections of this table that concern the following conduct areas: "Traffic Rules" and "Use of a Heavy Vehicle."

“Traffic Rules” Conduct Area

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
1 point			
107	Failing to return one’s licence, when requested to do so by the SAAQ, on the date that the cancellation or suspension of the licence takes effect or on any later date fixed by the SAAQ	1	2
281	Using improperly or illegally a white headlight at the rear of a vehicle or a green rotating light	1	1
281.1	Driving a road vehicle whose windshield and windows are not clear of all substances which might hinder the driver’s ability to see	1	1
292.0.1	Driving a slow vehicle in a lane other than the lane designated by the person in charge of highway maintenance	1	1
366	Entering an intersection equipped with traffic lights where there is not enough space to cross without blocking the intersection	1	1
377	Using flashing emergency lights for reasons other than safety	1	1
378	<ul style="list-style-type: none"> Using flashing or rotating lights, the sound-producing device or the traffic-light-changing device where not required by circumstances or in the performance of duties Failing to ensure that non-compliance with a prescribed rule can be done safely 	1	1
379	Using rotating or flashing amber lights where not necessary	1	1
381	Leaving a road vehicle unattended without removing the ignition key and locking the doors	1	1
382 to 387	Stopping a heavy vehicle in a way that is unsafe, improper or illegal	1	1
415	Entering or leaving a limited access highway otherwise than at the proper entrances or exits	1	1
423	Driving a road vehicle equipped with white lights projecting a light beam toward the rear	1	1

22 The section number displayed in this column refers to a section of the *Highway Safety Code*, except if the number is preceded by one of the following abbreviations:

- Act T-12 for the *Transport Act*;
- AOODHV for the *Act respecting owners, operators and drivers of heavy vehicles*;
- CC for the *Criminal Code*;
- T-SC for the *Regulation respecting road vehicles used for the transportation of school children*.

23 The weighting displayed in this column is the weighting set out in the *Monitoring of Heavy Vehicle Driver Conduct* document. Certain offences are weighted more severely for drivers than for HVOOs (the weighting is highlighted in yellow in such cases).

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
425	Failing to dim vehicle headlights	1	1
436	Braking suddenly without reason	1	1
438	Removing or towing a damaged road vehicle without also removing any object detached from it	1	1
441	Using tires equipped with non-skid studs or another device that may damage the roadway	1	1
442	Having a passenger, an animal or an object placed in such a way as to obstruct the driver's view or interfere with the proper handling of the vehicle	1	1
443.2	Wearing more than one earphone or headphone	1	1
500	Occupying the roadway, shoulder or any other part of the right of way of or approaches to a public roadway, or placing an obstacle thereon so as to obstruct vehicular traffic	1	1
2 points			
65	Driving a vehicle without holding a licence of the proper class or without having the prescribed endorsements	2	4
94	Holding more than one learner's licence, more than one probationary licence or more than one driver's licence of the same class	2	4
95	Failing to inform the SAAQ of any change to be made to the information that appears on the driver's licence	0	2
96	Allowing another person to drive using one's own driver's licence, or driving using another person's licence	2	4
97	Failing to carry one's licence while driving	0	2
293	Driving a vehicle where prohibited by signs or signals (special events, sports events)	2	2
312	Driving on private property to avoid a traffic sign or signal	2	2
320 to 324	Using traffic lanes improperly	2	2
325	Failing to use the right-hand lane when travelling at less than the normal speed of traffic	2	2
326	Crossing the median strip or other separation anywhere other than at the places provided for that purpose	2	2

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
331	<ul style="list-style-type: none"> Driving a heavy vehicle at a slow speed that may impede or obstruct normal traffic Failing to use emergency lights while driving at a low speed that may impede traffic 	2	2
373, 374	Failing to signal one's intention by manual signals	2	2
418	Driving on the shoulder of a public roadway	2	2
424	Driving without turning on the headlights where conditions require them to be turned on	2	2
430	Opening the door of a road vehicle before the vehicle has come to a stop or without ascertaining that it can be done safely	2	2
519.7	Failing to inform the persons concerned that one's licence is not valid	2	4
3 points			
98	Failing to comply with the conditions attached to a driver's licence	3	4
99	<ul style="list-style-type: none"> Driving a vehicle while holding a learner's licence without being assisted by a person holding the proper licence Assisting a learner driver without holding the proper licence to provide such assistance 	3	3
142	Giving false or misleading information knowingly when applying for a licence or when notifying any change of information	0	3
146	Using a document that could be mistaken for a licence	3	6
238	Failing to clean the headlights, lights and reflectors when ordered to do so by a peace officer	3	3
251	Installing or introducing a radar warning device in a vehicle, or any object that interferes with the functioning of a photo radar device or a red light camera system	3	3
267	Failing to clean the windshield and windows when ordered to do so by a peace officer	3	3
293.1, 3rd par.	Driving on a highway where prohibited by signs or signals for reasons of safety	3	3
299 ²⁴	Speeding in a municipality (11 to 20 km/h over the speed limit)	3	3

24 Since June 6, 2012, offences for speeding (ss. 299, 303.2, 327, 328 and 329) or for failing to obey a red light (s. 359) recorded with a radar device or a camera surveillance system are no longer considered in the operator's conduct assessment.

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
303.2	Driving at a speed over the indicated speed limit in a road construction or maintenance zone (11 to 20 km/h over the speed limit)	3	3
310	Failing to obey traffic signs or signals	3	3
311	Failing to obey orders or signals given by a person in authority (school crossing guard, flag person or peace officer)	3	3
328, 329	Driving at a speed over the prescribed or indicated speed limit (11 to 20 km/h over the speed limit)	3	3
333	Driving a vehicle equipped with a radar warning device, or on which is placed any object or to which is applied any material capable of interfering with the operation of a radar device or a red light camera system	3	3
335, 336	Tailgating	3	3
340	Speeding up while being passed	3	3
341.1	Failing to reduce the speed of one's vehicle when approaching an oncoming group of participants in an exceptional event or sports event or competition escorted by vehicles, or failing to obey a traffic rule that applies when in the presence of a group of participants	3	3
358.1	<ul style="list-style-type: none"> When approaching a traffic circle, failing to slow down and to yield the right of way to users already in the circle before entering Failing to move in a counter-clockwise direction after entering the traffic circle 	3	3
361	Failing to stop at an intersection with an amber light	3	3
362	Failing to reduce one's speed or yield the right of way at a flashing amber light	3	3
363, 364	Failing to yield the right of way when facing a green light or green arrow	3	3
365	Driving in a lane other than the lane indicated by a green arrow pointing downwards	3	3
375	Failing to signal one's intention without interruption and over a sufficient distance	3	3
396	Wearing an improperly fastened seat belt in a moving vehicle	3	5
406.2	Changing lanes when approaching or when in an intersection	3	3
416	Backing up where prohibited on a limited access highway	3	3
421	Driving a heavy vehicle to which a restrictive or prohibitive measure applies	3	3
443.1	Using a cell phone or any other portable electronic device indicated in section 443.1 of the HSC	3	5

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
496.4	Driving a road vehicle on a shared street at a speed over 20 km/h	3	3
496.6	Failing to yield the right of way to a pedestrian using a shared street	3	3
496.7	Driving a road vehicle on a bicycle boulevard at a speed over 30 km/h	3	3
498	Disposing of, depositing or abandoning any objects or substances on a public roadway	3	3
498.1	Driving a vehicle covered with ice, snow, or any other matter that may detach from the vehicle and constitute a hazard for other road users	3	3
4 points			
168	<i>Failing to discharge the various obligations required of a driver involved in an accident</i>	4	4
169	<i>Failing to call for a peace officer when involved in an accident causing bodily injury</i>	4	4
170	<i>Failing, as a driver involved in an accident, to provide the information required</i>	4	4
171	<i>Failing to notify a peace officer when involved in an accident, in certain circumstances</i>	4	4
299	Speeding in a municipality (21 to 30 km/h over the speed limit)	4	4
303.2	Driving at a speed over the indicated speed limit in a road construction or maintenance zone (21 to 30 km/h over the speed limit)	4	4
311.1	Failing to reduce one's speed or to switch to another other lane or, in the absence of another lane, to the shoulder when approaching a yellow arrow light signal that is mounted on a moving road vehicle and directs a lane change	4	4
326.1	Crossing a solid line marking off lanes, where prohibited	4	4
327	<i>Driving carelessly or at an unsafe speed</i>	4	5
328, 329	Driving at a speed over the prescribed or indicated speed limit (21 to 30 km/h over the speed limit)	4	4
330	Failing to reduce one's speed where conditions so require (darkness, fog, rain or other precipitation, or when the roadway is slippery or not completely cleared)	4	4
339	Carrying out an improper passing manoeuvre	4	4
341	Passing a bicycle or a pedestrian in an unsafe manner	4	4

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
342	<i>Successively passing two or more vehicles in a zigzag pattern</i>	4	4
345	<i>Passing where prohibited in the lane reserved for oncoming traffic</i>	4	4
346 to 348	Passing in an unsafe manner	4	4
349, 350	Failing to yield the right of way	4	4
351 to 358	Making an unsafe or illegal turn	4	4
359.1	Turning right at a red light where prohibited by a sign or signal or, if permitted by a sign or signal, turning right without first stopping	4	4
371	Failing to yield the right of way to vehicles already travelling in the lane one is about to enter	4	4
372, 376	Failing to signal one's intentions using the turn-signal lights, or failing to make sure a turn can be made safely	4	4
395	Driving a vehicle in which the seat belt has been removed, modified or rendered inoperative	4	4
402 to 405	Failing to yield the right of way	4	4
406	<i>Failing to yield the right of way to an emergency vehicle with its lights or sound-producing device in operation</i>	4	4
406.1	<i>Failing to reduce one's speed or change lanes when an emergency vehicle or tow truck with its flashing or rotating lights activated, or a road vehicle with an activated yellow arrow light signal, is stopped on a public roadway</i>	4	4
407 to 410	Failing to yield the right of way	4	4
411	Failing to stop one's vehicle at least 5 metres from a railway	4	4
412	Entering a level crossing without sufficient space	4	4
417	Backing up where such a manoeuvre is dangerous or obstructs traffic	4	4
422	Driving in a race or for a wager or stake	4	4
433	<i>Tolerating that a person ride on the running board or on any outer part of a vehicle in motion, or in the box or dump body of a vehicle in motion</i>	4	4
434	<i>Tolerating that a person hang on to, or be pulled or pushed by, a moving road vehicle</i>	4	4
460	<i>Failing to stop one's vehicle at a distance of more than 5 metres from a bus or minibus used to carry school children with its flashing red lights turned on or its compulsory stop signal activated</i>	4	4

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
5 points			
102	Refusing to surrender one's driver's licence to a peace officer	0	5
105	Driving a road vehicle while being under penalty	5	6
202.1.4	Failing a physical coordination test administered by a peace officer	5	5
299	<i>Speeding in a municipality (31 to 40 km/h over the speed limit)</i>	5	5
303.2	<i>Driving at a speed over the indicated speed limit in a road construction or maintenance zone (31 to 40 km/h over the speed limit)</i>	5	5
328, 329	<i>Driving at a speed over the prescribed or indicated speed limit (31 to 40 km/h over the speed limit)</i>	5	5
359	Failing to obey a red light	5	5
360	Failing to obey a flashing red light	5	5
367	Failing to stop at a traffic light that is defective or not in operation	5	5
368 to 370	Failing to obey a stop sign	5	5
Critical Offences (6 points)²⁵			
202.2 (202.4, subpar. (2) of the 1st par.)	Driving or having the care or control of a heavy vehicle with a learner's licence or a probationary licence and with alcohol in one's body	6	Referral to the CTQ ²⁶
202.2 (202.4, subpar. (2) of the 1st par.)	Driving or having the care or control of a heavy vehicle with alcohol in one's body, if the driver is 21 years of age or younger	6	Referral to the CTQ
202.2.1.1 (202.4, subpar. (3) of the 1st par.)	Driving or having the care or control of a bus or minibus with alcohol in one's body	6	Referral to the CTQ
202.2.1.2 (202.4, subpar. (4) of the 1st par.)	Driving or having the care or control of a heavy vehicle, other than a bus or a minibus, with a blood alcohol concentration equal to or above 50 mg of alcohol per 100 ml of blood	6	Referral to the CTQ

25 The sections between parentheses in this column refer to administrative penalties that are applied on the spot for these offences (length of the driver's licence suspension period).

26 "Referral to the CTQ" means that the offence is not weighted, because the heavy vehicle driver's conduct record is referred to the Commission des transports du Québec (CTQ).

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
202.3 (202.5)	Failing or refusing to obey the order of a peace officer, in particular to submit to physical coordination tests or to provide a breath or blood sample	6	Referral to the CTQ
202.4, subpar. (1) of the 1st par.	Driving or having the care or control of a vehicle with a blood alcohol concentration equal to or above 80 mg of alcohol per 100 ml of blood	6	Referral to the CTQ
202.4.1, subpar. (1) of the 1st par.	Driving with the presence of drugs in one's body (evaluating officer)	6	Referral to the CTQ
202.4.1, subpar. (2) of the 1st par.	Driving with the presence of drugs in one's body (saliva test) ²⁷	6	Referral to the CTQ
299	Speeding in a municipality (41 km/h or more over the speed limit)	6	6
303.2	Driving at a speed over the indicated speed limit in a road construction or maintenance zone (41 km/h or more above the speed limit)	6	6
328, 329	Driving at a speed over the prescribed or indicated speed limit (41 km/h or more above the speed limit)	6	6
443	Driving while having consumed an alcoholic beverage, cannabis or other drugs (on board a heavy vehicle)	6	Referral to the CTQ
CC 220, 221	Criminal negligence (causing death or bodily harm)	6	6
CC 236	Involuntary manslaughter	6	6
CC 320.13(1)	Dangerous driving	6	6
CC 320.13(2)	Dangerous driving causing bodily harm	6	6
CC 320.13(3)	Dangerous driving causing death	6	6
CC 320.14(1) (a)	Driving or having the care or control of a vehicle while impaired	6	Referral to the CTQ
CC 320.14(1) (b)	Driving a vehicle with a blood alcohol concentration equal to or above 80 mg of alcohol per 100 ml of blood	6	Referral to the CTQ
CC 320.14(1) (c)	Operating a vehicle with a blood drug concentration above the prescribed limit	6	Referral to the CTQ

²⁷ This section was not in force at the time of publication.

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
CC 320.14(1)(d)	Operating a vehicle with a blood alcohol concentration and blood drug concentration above the prescribed limits where both alcohol and a drug are present	6	Referral to the CTQ
CC 320.14(4)	Operating a vehicle while impaired by a drug (lower concentration)	6	Referral to the CTQ
CC 320.14(2)	Operating a vehicle while impaired, and causing bodily harm	6	Referral to the CTQ
CC 320.14(3)	Operating a vehicle while impaired, and causing death	6	Referral to the CTQ
CC 320.15	Failing or refusing to obey an order from a peace officer made under section 320.27 or 320.28	6	Referral to the CTQ
CC 320.16(1)	Failing to stop after an accident	6	6
CC 320.16(2) and (3)	Failing to stop after an accident resulting in bodily harm or death	6	6
CC 320.17	Driving while being pursued by a peace officer and without a reasonable excuse for fleeing or failing to stop the vehicle	6	6

“Use of a Heavy Vehicle” Conduct Area

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
1 point			
228	Using a rotating or flashing amber light where the special permit is no longer required	1	1
228.1	Using the signs or signals required for a special permit improperly	1	1
239.1	Operating a road vehicle referred to in section 239.1 of the HSC without carrying one's certificate of recognition	1	1
239.2	In the case of a driver referred to in sections 239.1 and 239.1.1 of the HSC, failing to surrender the certificate that the driver is required to have under those sections upon request by a peace officer	1	1

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
513	<ul style="list-style-type: none"> Exceeding by less than 4% the maximum total loaded mass indicated on the special permit on a public roadway Exceeding by less than 10% the axle load limit indicated on the special permit on a public roadway, a bridge or an overpass Exceeding the height limit by less than 0.1 metres Exceeding the width limit by less than 0.2 metres Exceeding the length limit by less than 1 metre Exceeding the overhang limit by less than 0.5 metres 	1	1
513	Failing to abide by the other conditions of the special permit (equipment, escort vehicle, traffic rules and regulations, etc.) (according to the amount of the fine)	1	1
Act T-12 48.14	Operating a bus or minibus used for the transportation of school children without carrying one's certificate of competence	0	1
T-SC 44.1	Failing to turn on the alternately flashing yellow lights	1	1
T-SC 44.2	Failing to turn on the flashing emergency lights when required	1	1
2 points			
274	Failing to use a warning sign on a slow moving vehicle	2	2
432	Failing to stop a bus or a minibus in the zones provided for that purpose or on the far right-hand side of the roadway when taking on or discharging passengers	2	2
458	Misusing the flashing red lights or compulsory stop signal on a school bus	2	2
459	Using the flashing red lights or compulsory stop signal on a school bus when it is not carrying school children	2	2
513	<ul style="list-style-type: none"> Exceeding by 4% to less than 8% the maximum total loaded mass indicated on the special permit on a public roadway Exceeding by less than 4% the maximum total loaded mass indicated on the special permit on a bridge or an overpass Exceeding by 10% to less than 15% the axle load limit indicated on the special permit on a public roadway, a bridge or an overpass Exceeding the height limit by 0.1 metres to less than 0.2 metres Exceeding the width limit by 0.2 metres to less than 0.4 metres Exceeding the length limit by 1 metre to less than 2 metres Exceeding the overhang limit by 0.5 metres to less than 1 metre 	2	2

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
621, subpar. (2.1) of the 1st par.	When driving a bus or minibus intended for the transportation of handicapped persons, failing to: <ul style="list-style-type: none"> • activate hazard lights when the vehicle is stopped for taking on or discharging passengers • ensure that all wheelchairs are properly secured • ensure that seat belts are properly fastened 	2	2
Act T-12 48.12	Driving a bus or minibus used for the transportation of school children without holding a certificate of competence	2	4
T-SC 45	Exiting a vehicle, in the case of a driver, when there are school children on board, or failing to turn off the engine, remove the switch key and apply the hand brake to assist a handicapped school child	2	2
T-SC 46	Authorizing or tolerating, in the case of a driver, more than three school children on the seat of a school bus	2	2
T-SC 49, subpar. (2) of the 1st par.	Failing, in the case of a driver, to immobilize a wheelchair or to ensure that the seat belt that must be worn by a handicapped school child is buckled	2	2
T-SC 49, subpar. (4) of the 1st par.	Failing, in the case of a driver, to refuse to transport a handicapped school child whose wheelchair cannot be immobilized or who cannot sit on a seat	2	2
3 points			
291, 3rd par.	Driving an outsized or overloaded vehicle on a public roadway where prohibited by signs or signals	3	3
292.1	Driving an overloaded vehicle that is not equipped with the prescribed braking system on a roadway where doing so is prohibited by signs or signals	3	3
364.1	In the case of a bus driver facing a bus traffic light, failing to ensure that the bus may proceed in the authorized direction safely	3	3
406.2	In the case of the driver of a bus authorized by a bus traffic light to enter an intersection, failing to ensure that the manoeuvre can be done safely	3	3
418.2	Driving a bus on a section of the shoulder of an expressway or other limited access highway even though all the conditions set out in section 418.2 of the HSC have not been met	3	3

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
418.3	Driving a bus on a shoulder section under section 418.2 of the HSC and exceeding the speed of road traffic in the traffic lane contiguous to the shoulder by more than 20 km/h	3	3
426	Carrying more passengers than there are seating positions equipped with seat belts or seats available for them to sit on	3	3
437	Pulling another vehicle whose wheels remain on the ground, but without using a bar to firmly secure the vehicle	3	3
437.1	Pulling a trailer or semi-trailer without using an adequate coupling device or system (lights, braking system, chains, cables, etc.)	3	3
437.2	Pulling a combination of road vehicles unless it is at the request of a peace officer or for reasons of safety	3	3
455	Carrying passengers who are not seated (a school bus while in motion)	3	3
464	Driving an oversized vehicle without carrying a special permit	3	3
471, subpar. (4) of the 1st par.	Driving a vehicle carrying a load that is not placed, secured or covered in accordance with load securement standards	3	3
473.1	Driving an oversized vehicle without carrying a special permit	3	3
474	Driving a road vehicle or combination of road vehicles without a warning device indicating that the load or equipment extends beyond the rear of the road vehicle or combination of road vehicles by more than one metre	3	3
497	Driving a snowblower whose net mass is more than 900 kg in a residential area where the speed limit is 50 km/h or less without the supervision of a person walking in front of the vehicle	3	3

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
513	<ul style="list-style-type: none"> Exceeding by 8% to less than 12% the maximum total loaded mass indicated on the special permit on a public roadway Exceeding by 4% to less than 8% the maximum total loaded mass indicated on the special permit on a bridge or an overpass Exceeding by less than 5% the maximum total loaded mass indicated on the Minister's permit on a public roadway, a bridge or an overpass Exceeding by 15% to less than 18% the axle load limit indicated on the special permit on a public roadway, a bridge or an overpass Exceeding by less than 10% the axle load limit indicated on the Minister's permit or the Class 5 or 6 special permit Exceeding the height limit by 0.2 metres to less than 0.3 metres Exceeding the width limit by 0.4 metres to less than 0.6 metres Exceeding the length limit by 2 metres to less than 3 metres Exceeding the overhang limit by 1 metre to less than 1.5 metres 	3	3
513	Failing to abide by the other conditions of the special permit (equipment, escort vehicle, traffic rules and regulations, etc.) (according to the amount of the fine)	3	3
519.3, 1st par.	Failing to complete, sign or update the circle check report	3	3
519.3, 3rd par.	Failing to countersign the circle check report or neglecting to send the report to the operator within the time prescribed by regulation	3	3
519.4	Failing to keep on board the vehicle the applicable defect lists, the circle check report or the motor coach inspection report	3	3
519.4.1	Driving a heavy vehicle without keeping the circle check report or the motor coach inspection report on board the heavy vehicle	3	3
519.5, 2nd par.	Failing to report a minor mechanical defect	3	3
519.8	Failing to distribute and secure freight, express and baggage hauled by a bus or minibus in compliance with standards	3	3
519.10	<ul style="list-style-type: none"> Failing to record all of the information required by regulation in the record of duty status Failing to have the documents determined by regulation in one's possession Failing to make available or forward the record of duty status, supporting documents and information determined by regulation to the operator and any other person who supplies the driver's services 	3	3
646	Violating any of the standards set forth in the <i>Transportation of Dangerous Substances Regulation</i> (according to the amount of the fine)	3	3
T-SC 47	Failing to ensure that school children are seated safely and that the aisle is free of obstructions	3	3

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
4 points			
292	Failing to check the brakes where a sign or signal requires a mandatory stop at a brake verification area	4	4
413	<i>Failing to stop at a level crossing when driving a bus, a minibuss or a heavy vehicle transporting dangerous substances requiring the display of safety marks</i>	4	4
471, subpar. (2) of the 1st par.	Carrying a load that reduces the driver's field of vision or blocks the vehicle's lights	4	4
471, subpar. (4) of the 1st par.	Carrying a load that is not properly secured or installed or where the capacity of equipment is insufficient	4	4
474.1	Failing to surrender for examination the documents prescribed by regulation concerning the vehicle's load and the documents establishing the driver's qualifications for the transportation of dangerous substances at a peace officer's request	4	5
513	<ul style="list-style-type: none"> Exceeding by 12% to less than 16% the maximum total loaded mass indicated on the special permit on a public roadway Exceeding by 8% to less than 16% the maximum total loaded mass indicated on the special permit on a bridge or an overpass Exceeding by 5% to less than 10% the maximum total loaded mass indicated on the Minister's permit on a public roadway, a bridge or an overpass Exceeding by less than 5% the maximum total loaded mass indicated on the Class 5 or 6 special permit on a public roadway, a bridge or an overpass Exceeding by 18% to less than 20% the axle load limit indicated on the special permit on a public roadway, a bridge or an overpass Exceeding by 10% to less than 15% the axle load limit indicated on the Minister's permit or the Class 5 or 6 special permit on a public roadway, a bridge or an overpass Exceeding the height limit by 0.3 metres to less than 0.4 metres Exceeding the width limit by 0.6 metres to less than 0.8 metres Exceeding the length limit by 3 metres to less than 4 metres Exceeding the overhang limit by 1.5 metres to less than 2 metres 	4	4
519.2	Failing to conduct a circle check of the heavy vehicle or to record observations in the circle check report	4	4

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
519.10	<ul style="list-style-type: none"> Failing to record in a record of duty status all the hours of rest and hours of service for that day Failing to record the required information using an electronic logging device (ELD) Producing more than one record of duty status per day Using more than one ELD at the same time or for the same period Entering inaccurate information in the record of duty status 	4	4
519.21.4	Entering inaccurate information in the record of duty status or the supporting documents	4	4
646	Violating any of the standards set forth in the <i>Transportation of Dangerous Substances Regulation</i> (according to the amount of the fine)	4	4
Act T-12 48.15	Failing to hand over one's certificate of competence for driving a bus or minibus used for the transportation of school children for inspection at the request of a peace officer	0	4
5 points			
456	Failing to use the flashing red lights or compulsory stop signal when stopping to take on or discharge passengers (bus or minibus used to carry school children)	5	5
457	Failing to use the flashing red lights or compulsory stop signal where two or more buses or minibuses used to carry school children are stopped in single file and any of the other buses or minibuses is taking on or discharging passengers	5	5
468, 2nd par.	Refusing to drive an outsized vehicle to a suitable place when ordered to do so by a peace officer	5	5
470.1	Failing to drive one's vehicle to an inspection station and to facilitate inspection of the vehicle when ordered to do so by a peace officer or when required by a sign or signal	5	5
472, 2nd par.	Failing to drive a vehicle with a load presenting a hazard to a suitable place when ordered to do so by a peace officer	5	5
471, subpar. (1) and (3) of the 1st par.	Carrying a load that shifts around on the vehicle or falls from the vehicle, or interferes with its stability or handling	5	5

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
513	<ul style="list-style-type: none"> Exceeding by 16% to less than 20% the maximum total loaded mass indicated on the special permit on a public roadway Exceeding by 16% to less than 20% the maximum total loaded mass indicated on the special permit on a bridge or an overpass Exceeding by 10% to less than 15% the maximum total loaded mass indicated on the Minister's permit on a public roadway, a bridge or an overpass Exceeding by 5% to less than 10% the maximum total loaded mass indicated on the Class 5 or 6 special permit on a public roadway, a bridge or an overpass <i>Exceeding by 20% or more the axle load limit indicated on the special permit on a public roadway, a bridge or an overpass</i> <i>Exceeding by 15% or more the axle load limit indicated on the Minister's permit or the Class 5 or 6 special permit on a public roadway, a bridge or an overpass</i> Exceeding the height limit by 0.4 metres to less than 0.5 metres Exceeding the width limit by 0.8 metres to less than 1 metre Exceeding the length limit by 4 metres to less than 5 metres Exceeding the overhang limit by 2 metres to less than 2.5 metres 	5	5
513	Failing to abide by the other conditions of the special permit (equipment, escort vehicle, traffic rules and regulations, etc.) (according to the amount of the fine)	5	5
519.2.1	Driving a heavy vehicle for which a circle check has not been conducted	5	5
519.2.2	Driving a motor coach for which an inspection specific to motor coaches has not been conducted	5	5
519.3, 2nd par.	Possessing more than one report for the same circle check	5	5
519.4	Refusing to surrender the applicable defects list, the circle check report or the motor coach inspection report to a peace officer for examination	5	5
519.5, 1st par.	Failing to report a major defect	5	5

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
519.8.1, subpar. (1), (2) and (4) of the 1st par.	Driving: <ul style="list-style-type: none"> while the driver's driving ability is impaired if driving jeopardizes or is likely to jeopardize the safety or health of the public, the driver or the employees of the operator while failing to comply with the provisions of section 519.9 (hours of driving and rest) and 519.10 (records of duty status) of the HSC 	5	5
519.10	<ul style="list-style-type: none"> Falsifying, defacing, mutilating or otherwise impairing the integrity of the records of duty status or supporting documents Refusing to make available or forward the records of duty status and supporting documents determined by regulation for examination at a peace officer's request 	5	5
519.11	Failing to surrender the leasing contract or service contract to a peace officer	5	5
519.21.4	<ul style="list-style-type: none"> Falsifying, defacing or making illegible the records of duty status and supporting documents or otherwise impairing their integrity Disabling, deactivating, blocking or degrading the signal reception or transmission of an ELD, or re-engineering, reprogramming or altering the device, so as to prevent it from accurately recording or entering the required information 	5	5
519.28	Failing to drive one's heavy vehicle to an appropriate place (dangerous substances)	5	5
519.70, 2nd par.	Failing to comply with a carrier enforcement officer's order while having a road vehicle in one's care, possession or control	5	5
636	Failing to stop one's vehicle when ordered to do so by a peace officer	5	5
638.1	Hindering a peace officer in the performance of the officer's duties, namely: <ul style="list-style-type: none"> misleading the peace officer by concealment or false declarations refusing to provide any information or document the peace officer is entitled to require or examine concealing or destroying any document or property relevant to an inspection 	5	5
646	Violating any of the standards set forth in the <i>Transportation of Dangerous Substances Regulation</i> (according to the amount of the fine)	5	5
Act T-12 50	Hindering the work of a member of the CTQ, a designated person, a person authorized to act as an inspector, a peace officer or an investigator of the Department in the discharge of that person's duties: <ul style="list-style-type: none"> by misleading that person by concealment or false declarations by refusing to give the person information or a document that he or she is entitled to require or examine by concealing or destroying any document or property pertaining to an inquiry 	5	5

Section ²²	Description	HVOO Weighting	HVD Weighting ²³
Critical Offences (6 points)			
513	Exceeding by 20% or more the maximum total loaded mass indicated on the special permit	6	6
513	Exceeding by 15% or more the maximum total loaded mass indicated on the Minister's permit	6	6
513	Exceeding by 10% or more the maximum total loaded mass indicated on the Class 5 or 6 special permit	6	6
513	Operating an oversized vehicle without a police escort, where an escort is a condition of a special permit	6	6
513	Exceeding the maximum size authorized for a heavy vehicle indicated on a special permit, including the load, by: <ul style="list-style-type: none"> • 0.5 metres or more, for height • 1 metre or more, for width • 5 metres or more, for length • 2.5 metres or more, for any overhang (front, rear or sides of the vehicle) 	6	6
519.6	Driving a heavy vehicle with a major mechanical defect	6	6
519.8.1, subpar. (3) of the 1st par.	Failing to obey a prohibition from driving in the case of a driver who is subject to an out-of-service order	6	6
519.34	Contravening a "driver" out-of-service order issued by a peace officer	6	6
646	Travelling in a tunnel with dangerous substances	6	6
A00DHV 48	Operating or driving a heavy vehicle despite being prohibited from doing so, or failing to meet a condition	6	6

Weighting and fines associated with the offences displayed in blue in the table above

Weighting of the offences concerning the transportation of dangerous substances (**section 646**) according to the amount of the fine:

Driver		Operator	
Weighting	Fine	Weighting	Fine
3 points	\$90	3 points	\$175
4 points	\$175	4 points	\$350
5 points	\$350	5 points	\$700

Weighting of the offences concerning a failure to comply with any of the conditions of a special permit (**section 513**) according to the amount of the fine:

Driver		Operator	
Weighting	Fine	Weighting	Fine
1 point	\$90	1 point	\$150 or \$175
3 points	\$175	3 points	\$300 or \$350
5 points	\$350	5 points	\$600 or \$700

Important information

Section 513 of the *Highway Safety Code*

Under section 513 of the *Highway Safety Code*, a statement of offence may be served on the driver of a heavy vehicle and the holder of a special permit. The permit holder acts in the capacity of operator and must comply with all the conditions attached to the special permit, including the conditions concerning the installation of required equipment, the proper use of escort vehicles and compliance with special traffic rules. When a statement of offence is served on the holder of a special permit, the offence is entered in the record of that permit holder as an operator and assigned the appropriate weighting.

Codes entitled “de situation” (situational), “défendeur” (defendant) and “véhicule” (vehicle)

These codes have no legal meaning and therefore cannot be interpreted in a restrictive manner. They appear on statements of offence for information purposes to assist prosecutors in their administrative duties.

APPENDIX 4

TABLE OF EQUIVALENCY CODES ESTABLISHED BY THE CANADIAN COUNCIL OF MOTOR TRANSPORT ADMINISTRATORS (CCMTA) FOR OFFENCES AND THEIR WEIGHTING IN QUÉBEC

“Traffic Rules” Conduct Area

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1	Driving at a speed greater than is reasonable and prudent; speed too fast for conditions	4	4
4	Exceeding posted speed limit	2	2
5	Speeding 1-10 km/hour over posted speed limit	0	0
6	Speeding 11-20 km/hour over posted speed limit	3	3
7	Speeding 21-30 km/hour over posted speed limit	4	4
8	Speeding 31-40 km/hour over posted speed limit	5	5
9	Speeding 41-49 km/hour over posted speed limit	6	6
10	Speeding 50 km/hour or greater over the posted speed limit	6	6
12	Speeding up on being overtaken	3	3
13	Speed less than minimum impeding normal flow of traffic	2	2
14	Racing vehicles; contest of speed	4	4
16	Driving without due care and/or driving without reasonable consideration for others using roadway	4	5
19	Stunting	4	5
20	Use of a radar detection device where prohibited	3	3

²⁸ The description of the equivalencies listed here is abbreviated in the HVOO record.

²⁹ Note that some offences (equivalencies) are weighted more severely for the driver (in those cases, the weighting is highlighted in yellow).

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
100	Failing to stop when flashing red light at intersection or crosswalk	5	5
101	Failing to stop when flashing red light at place other than intersection	5	5
102	Failure to obey stop sign; stop signal	5	5
104	Disobeying or passing a red light	4	4
105	Disobey amber light	3	3
107	Fail to yield	4	4
108	Failure to stop on request of peace officer/police	5	5
109	Disobey police/peace officer directive or instruction	3	3
110	Passing school bus; not stopping for school bus	4	4
112	Failure to obey railroad crossing instructions	4	4
113	Failure to obey railroad gates signs or signals	4	4
114	Disobey emergency vehicle signal	4	4
200	Failing to report accident	4	4
201	Failing to stop at accident scene; leaving the scene of an accident	4	4
203	Failing to render assistance to injured person	4	4
204	No person holding driver's licence may hold a driver's licence issued by another jurisdiction	2	4
205	Misuse licence	2	4
206	Operating a class of vehicle other than that specified on licence	2	4
207	Not complying with licence restrictions or conditions	3	4

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
210	False statement or fail to furnish information	2	4
212	Violation involving the use of a seat belt; allowing more passengers than seat belts available	3	5
213	Fail to produce documentation, or to surrender revoked or suspended licence	3	5
214	Driving or allowing to drive a vehicle with a revoked or suspended licence	5	6
215	Towing a trailer or semi-trailer not attached with the prescribed safety device(s) to the towing vehicle	3	3
216	Failing to affix on the vehicle a slow speed warning sign	2	2
217	Driving a vehicle in which a television set is visible to the driver or while using headphones or earphones	1	1
218	Inappropriate or dangerous stopping or leaving unattended a vehicle without removing the ignition key and locking the doors	1	1
220	Possess or use a licence issued to another person	2	4
222	Possess or use a fictitious licence	3	6
226	Using hand-operated device while driving	3	5
300	Improper passing	4	4
301	Improper overtaking and passing on right of another vehicle	4	4
303	Drive on left	2	2
304	Passing on left when unsafe	4	4
308	Passing on left of solid line(s)	3	3
313	Fail to overtake vehicle properly	4	4
314	Fail to yield to overtaking vehicle	3	3

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
315	Passing in no passing zone	3	3
316	Failure to slow down or move over near stopped official vehicle	4	4
317	Fail to obey traffic control device	2	2
318	Overtaking and passing vehicle stopped at crosswalk	3	3
320	Following vehicle too closely	3	3
322	Improper use; insufficient or no signal	2	2
323	Improper or inappropriate use of lights or lighting devices	1	1
324	Failure to turn on lights when required	2	2
325	Failure to turn on school bus flashing lights when prescribed	5	5
326	Inappropriate use of school bus flashing lights	2	2
327	Failure to ascertain whether occupants of a school bus are seated when prescribed	3	3
328	Improper lane or location	2	2
329	Improper, dangerous or illegal turn; crossing a median strip or separation	4	4
330	Driving contrary to sign direction	3	3
331	Backing up when unsafe	3	3
332	Obstruct or block intersection	1	1
333	Entering or leaving a limited access highway at places other than the ones prescribed	1	1
334	View of driver obstructed	1	1

“Traffic Rules” Conduct Area
Criminal Code (offences committed before December 18, 2018)

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1100	Criminal negligence causing death, s. 220	6	6
1101	Criminal negligence causing injury, s. 221	6	6
1102	Manslaughter, s. 236	6	6
1103	Dangerous driving, s. 249(1)(a)	6	6
1104	Dangerous driving causing injury, s. 249(3)	6	6
1105	Dangerous driving causing death, s. 249(4)	6	6
1106	Leaving the scene of an accident, s. 252(1)	6	6
1107	Impaired driving, s. 253(1)(a)	6	Referral to CTQ
1108	Blood alcohol exceeds .08, s. 253(1)(b)	6	Referral to CTQ
1109	Refuse breath/blood sample, s. 254(5)	6	Referral to CTQ
1110	Impaired driving causing injury, s. 255(2)	6	Referral to CTQ
1111	Impaired driving causing death, s. 255(3)	6	Referral to CTQ
1116	Failure to stop for a peace officer, s. 249.1(1)	6	6
1120	Refuse breath/blood sample, when causing injury, s. 255(2.2)	6	Referral to CTQ
1121	Refuse breath/blood sample, when causing death, s. 255(3.2)	6	Referral to CTQ
1122	BAC over limit, causing injury, s. 255(2.1)	6	Referral to CTQ
1123	BAC over limit, causing death, s. 255(3.1)	6	Referral to CTQ

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1124	Failing to stop during flight from the police causing bodily harm or death, s. 249.1(3)	6	6
1125	Failure to stop at scene of accident involving bodily harm, s. 252(1.2)	6	6
1126	Failure to stop at scene of accident involving bodily harm or death, s. 252(1.3)	6	6
1127	Blood Drug Concentration exceeds the prescribed limit, s. 253(3)(a)	6	Referral to CTQ
1128	Blood Drug Level exceeds prescribed lower limits, s. 253(3)(b)	6	Referral to CTQ
1129	Drug/Alcohol combination exceeds prescribed limit, s. 253(3)(c)	6	Referral to CTQ

“Traffic Rules” Conduct Area

Criminal Code (offences committed on or after December 18, 2018)

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1130	Criminal negligence causing death, s. 220	6	6
1131	Criminal negligence causing injury, s. 221	6	6
1132	Motor manslaughter, s. 236	6	6
1133	Dangerous operation, s. 320.13(1)	6	6
1134	Dangerous operation causing bodily harm, s. 320.13(2)	6	6
1135	Dangerous operation causing death, s. 320.13(3)	6	6
1136	Failure to stop at scene of accident, s. 320.16(1)	6	6

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1137	Operation while impaired, s. 320.14(1)(a)	6	Referral to CTQ
1138	Operation with 80 mg or more of alcohol per 100 ml of blood, s. 320.14(1)(b)	6	Referral to CTQ
1139	Fail/refuse to comply with demand, s. 320.15(1)	6	Referral to CTQ
1140	Impaired operation causing bodily harm, s. 320.14(2)	6	Referral to CTQ
1141	Impaired operation causing death, s. 320.14(3)	6	Referral to CTQ
1146	Flight from peace officer causing bodily harm or death, s. 320.17	6	6
1150	Fail/refuse to comply with demand - bodily harm, s. 320.15(2)	6	Referral to CTQ
1151	Fail/refuse to comply with demand - death, s. 320.15(3)	6	Referral to CTQ
1152	Blood concentration level over legal limit - bodily harm, s. 320.14(2)	6	Referral to CTQ
1153	Blood concentration level over legal limit - death, s. 320.14(3)	6	Referral to CTQ
1155	Failure to stop at scene of accident involving bodily harm, s. 320.16(2)	6	6
1156	Failure to stop at scene of accident involving bodily harm or death, s. 320.16(2) or (3)	6	6
1157	Operation with blood drug concentration equal to or exceeding prescribed amount, s. 320.14(1)(c)	6	Referral to CTQ
1158	Operation with low blood drug concentration, s. 320.14(4)	6	Referral to CTQ
1159	Operation with blood drug concentration equal to or exceeding prescribed amount in instances where alcohol and drug are combined, s. 320.14(1)(d)	6	Referral to CTQ

“Traffic Rules” Conduct Area

Administrative Suspension of a Driver’s Licence

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
1304	Administrative, 24 hour: Issued by a Peace Office for roadside DWI related circumstances	6	Referral to CTQ
1307	Administrative DWI: Register (provincial, territorial or state) imposed disqualification or suspension specifically related to criminal convictions / prohibitions	6	Referral to CTQ
1308	Administrative DWI roadside: 3 or 6 month suspensions where a Peace Officer has reasonable and probable grounds to believe that a person is driving while impaired	6	Referral to CTQ

“Use of a Heavy Vehicle” Conduct Area

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
400	Exceeding maximum driving hours prescribed by regulation. (daily driving hours and on-duty hours)	5	5
401	Failing to maintain and update the daily log as prescribed in the regulation	3	3
402	Fraud – having two or more logs for the same period, of falsifying logs or other documents	5	5
403	Hindering a peace officer or an inspector in the performance of his duties, misleading him or refusing to provide him with any information or document he is entitled to require, regarding the hours of service requirements	5	5
404	When the driver has exceeded the maximum number of driving hours, refusal to surrender licence and to allow a peace officer to take possession of the vehicle	5	5
406	Fail to have the daily log and/or supporting documents in his/her possession while driving the vehicle	4	4
407	Fail to produce daily log and/or supporting documents	4	4

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
408	Drive when driver's faculties are impaired to point of unsafe	5	5
409	Drive when driving would jeopardize public safety or health	5	5
410	Drive when subject to an out of service declaration	6	6
411	Drive when not in compliance with these regulations	5	5
412	Fail to take 8 consecutive off-duty hours after 13 hours of driving time	5	5
413	Fail to take 8 consecutive off-duty hours after 14 hours of on-duty driving	5	5
414	Drive after 16 hours have elapsed between off-duty periods	5	5
415	Fail to comply with off-duty hours – at least 24 consecutive in 14 days.	5	5
416	Fail to comply with off-duty hours – at least 10 in a day	5	5
417	Fail to take off-duty hours – at least 2 aside from 8 consecutive	5	5
418	Fail to comply with off-duty hours – after 13 of driving or 15 on-duty (logging trucks)	5	5
419	Excessive driving or on-duty hours (logging trucks)	5	5
420	Fail to comply with off-duty hours – at least 3 periods off-duty during 24 days	5	5
421	Fail to comply with off-duty hours – at least 72 consecutive hours off-duty	5	5
422	Fail to take 8 consecutive hours	5	5
423	Fail to comply with off-duty hours – when not splitting daily off-duty time (single driver)	5	5
424	Fail to comply with off-duty hours – when not splitting daily off-duty time (team of drivers)	5	5
425	Fail to follow cycle 1 or cycle 2	5	5

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
426	Excessive hours – cycle 1	5	5
427	Excessive hours – cycle 2	5	5
428	Fail to comply with off-duty hours – 24 consecutive hours after 70 hours on-duty	5	5
429	Drive after accumulating 120 hours of on-duty time during any 14 day period	5	5
430	Drive after accumulating 70 hours of on-duty time during any 7 day period	5	5
431	Switch from cycle 1 to cycle 2 without required off-duty hours	5	5
432	Switch from cycle 2 to cycle 1 without required off-duty hours	5	5
433	Fail to place copy of exemption in vehicle	4	4
434	Fail to provide a list of exempted commercial motor vehicles to the director	4	4
435	Fail to provide daily log and/or supporting documents for commercial motor vehicle in respect of which exemption applies	4	4
436	Fail to notify the director of an accident involving exempted commercial vehicles	3	3
437	Fail to comply with conditions of exemption by director	5	5
439	Fail to take immediate remedial action for non-compliance	5	5
440	Fail to have in possession the preceding 14 days of daily logs	4	4
442	Fail to forward/produce/deposit/distribute daily logs and/or supporting documents as prescribed in the regulation	3	3
443	Drive after 13 hours of accumulated driving time	5	5
444	Drive after 14 hours of accumulated on-duty time	5	5

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
445	Failure to comply with terms and conditions of a permit under these regulations	5	5
446	Carrier request/require/permit driver to drive when log book not up to date	5	5
447	Fail to provide information on electronic recording device	4	4
448	Allow operation of a commercial vehicle without a certified Electronic Logging Device as required	4	4
500	Failing to inspect vehicles or to have vehicle inspected or maintained according to regulation requirements	4	4
501	Failure to enter complete information on trip inspection report	3	3
502	Failing to keep trip inspection report in the vehicle	3	3
503	Failing to forward inspection report	3	3
504	Failing to report to the carrier any minor defects found on the vehicle or failing (carrier) to repair any minor defect reported by driver	3	3
505	Failing to report to the carrier any major defects found on the vehicle or failing (carrier) to repair any major defect reported by driver	5	5
506	Driving a vehicle which has a major defect discovered during an inspection	6	6
507	Putting back into operation after the prescribed repair delay a vehicle that carries minor defect discovered during a trip inspection	3	3
509	Hindering a peace officer or an inspector in the performance of their duties, misleading them or refusing to provide them with any information or document they are entitled to require regarding the trip inspection or maintenance requirements	5	5
512	Failure to provide a paper or equivalent electronic copy of the required inspection report(s) on demand of an officer	5	5
900	Carrying a load that is placed, secured or covered in violation of the security of load requirements	3	3

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
901	Failing to comply with the request of a peace officer requiring that a vehicle, of which the load may present a hazard, be impounded in a suitable place	6	6
1000	Any violation to the dangerous goods regulations	4	4
1202	Hindering a peace officer or an inspector in the performance of their duties, misleading or refusing to provide the officer with any information or document that the officer is entitled to require regarding driver related documents or records (other than hours of service or trip inspection)	5	5
1203	Failure to comply with restrictions/conditions placed on a safety certificate	6	6

“Use of a Heavy Vehicle” Conduct Area

EQUIVALENCY CODE ESTABLISHED BY THE CCMTA	VERBATIM WORDING OF THE EQUIVALENCY ESTABLISHED BY THE CCMTA ²⁸	WEIGHTING OF THE EQUIVALENCY IN THE HVOO RECORD	WEIGHTING OF THE EQUIVALENCY IN THE HEAVY VEHICLE DRIVER RECORD ²⁹
700	Operating an overweight or oversize vehicle without a special permit or while contravening special permit conditions	1	1
701	Failing to carry the special permit issued for an outsized vehicle while driving the vehicle	3	3
702	Refusal to drive a vehicle to a weighting station or any other suitable place, when requested by a sign, signal or peace officer	5	5
703	Failing to install a red flag, a reflector panel or a red light at the farthest point of a load extending beyond the rear of the vehicle	3	3
705	Operate a vehicle for which weight (either gross or axle) exceeds the maximum allowed in the jurisdiction by more than 2000 kg	1	1
706	Operate a vehicle which load exceeds the maximum dimensions allowed in the jurisdiction	1	1
707	Operate a vehicle with a size that exceeds the maximum dimension allowed in the jurisdiction	1	1

APPENDIX 5

APPLICATION TO HAVE A CONDUCT RECORD ADJUSTED – HEAVY VEHICLE OWNERS, OPERATORS OR DRIVERS

Société de l'assurance automobile

Québec



Application to Have a Conduct Record Adjusted Heavy Vehicle Owners, Operators or Drivers

Avec vous,
au cœur de votre sécurité

Date of the application	Year	Month	Day
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Note: Please fill out the form on screen.

Heavy Vehicle Owner, Operator or Driver (Mandatory fields are marked with an asterisk (*).)	
<input type="checkbox"/> Heavy vehicle owner or operator (HVOO)	<input type="checkbox"/> Heavy vehicle driver
Business name*	Last name*
Identification number*	First name*
Register Identification Number (RIN) from the Commission des transports du Québec	Driver's licence number*

Person Filing the Application (Mandatory fields are marked with an asterisk (*).)			
Last name*		First name*	
Title or position		Business name*	
Business address	Street number	Street name	
Municipality		Province Québec	Postal code
Telephone*	Extension	Email*	

Type of Adjustment	
<input type="checkbox"/> Offence	<input type="checkbox"/> Accident
<input type="checkbox"/> "Driver" out-of-service order	<input type="checkbox"/> Vehicle fleet
<input type="checkbox"/> Mechanical inspection certificate	<input type="checkbox"/> More than one type
<input type="checkbox"/> Other, specify: _____	

Events Concerned									
Date of the event	Year	Month	Day	Event number	Date of the event	Year	Month	Day	Event number
Date of the event	Year	Month	Day	Event number	Date of the event	Year	Month	Day	Event number

If the application concerns more than four events, please provide the required information about the additional events (dates and event numbers) in the "Details and Description" section.

Details and Description
Please enclose any supporting documents with your application (<i>Notice of Non-Liability for an Accident, Application to Have an HVOO Record Adjusted – Heavy Vehicle Rental Company, power of attorney, rental contract, lease agreement, etc.</i>)

Société de l'assurance automobile du Québec

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Details and Description – Continued

Empty table area for details and description.

Protection of Personal Information

The SAAQ only collects personal information that is necessary for it to exercise its powers and apply the laws it administers. All personal information gathered by authorized personnel is handled confidentially. This information may be shared with its licensing agents and certain government departments or agencies, including those located outside Québec, in accordance with the *Act respecting Access to documents held by public bodies and the Protection of personal information*. It may also be used for statistical, survey, study, audit or investigative purposes. Failure to provide this information can result in a refusal of service. You may consult, correct or obtain a copy of any personal information concerning you.

For more information, consult the Policy on Privacy on the SAAQ's website at saaq.gouv.qc.ca/privacy or contact the SAAQ's call centre.

Mail this form to	▶	Direction des politiques, de la performance et des relations avec le milieu, E-4-32 Société de l'assurance automobile du Québec Édifice Jean-Lesage 333, boulevard Jean-Lesage Case postale 19600, succursale Terminus Québec (Québec) G1K 8J6	or	▶	418-643-1896
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APPENDIX 6

LIST OF GOVERNMENT STAKEHOLDERS

Société de l'assurance automobile du Québec

The Société de l'assurance automobile du Québec is responsible for the following areas:

- records on owners, operators and drivers of heavy vehicles;
- driver fatigue prevention;
- hours of driving and rest;
- vehicle registration;
- safety standards for road vehicles:
 - mandatory mechanical maintenance,
 - the circle check and the inspection specific to motor coaches;
- driver's licences;
- the *Conduct Review Policy for Heavy Vehicle Drivers*;
- the *Conduct Review Policy for Heavy Vehicle Owners and Operators*.

Contrôle routier Québec is responsible for the following operational areas:

- enforcement of the laws and regulations that apply to vehicles used in the transportation of goods or passengers (roadside inspections and facility audits);
- the preventive maintenance program;
- the network of road vehicle inspection agents.

For information or to receive documents on these subjects, refer to the SAAQ website or contact the SAAQ via the following channels:

Online

A secure email address is available on the following web page to submit a request for information:

saaq.gouv.qc.ca/en/reach-us

Newsletter

The *Le Relayeur* newsletter (in French only) provides information to stakeholders in the freight and passenger transportation industry about various topics concerning heavy vehicles, including laws and regulations, the road safety record and heavy vehicle safety. To subscribe to the newsletter, go to saaq.gouv.qc.ca/en/transportation-goods/le-relayeur.

Mailing address

Société de l'assurance automobile du Québec

333, boulevard Jean-Lesage
Case postale 19600, succursale Terminus
Québec (Québec) G1K 8J6

Telephone

- Québec area: 418-643-7620;
- Montréal area: 514-873-7620;
- toll-free: 1-800-361-7620 (Québec, Canada, United States);
- Info-PECVL line (in French only): 1-800-554-4814.

Obligations of Heavy Vehicle Users guide

This document is intended for the various users of heavy vehicles. It contains information on the principal road safety rules and requirements that govern their activities. It is a simplified guide about rules and regulations that allows all stakeholders in the freight and passenger transportation industry to quickly find answers to many of their questions. Please contact the SAAQ to obtain a copy.

THE COMMISSION DES TRANSPORTS DU QUÉBEC (CTQ)

The CTQ is responsible for the following areas in connection with heavy vehicles:

- safety ratings for owners and operators of heavy vehicles;
- assessing the conduct of heavy vehicle drivers;
- assessing the conduct of heavy vehicle owners and operators;
- the list of transport service intermediaries;
- mediation and arbitration;
- corrective measures and penalties imposed on heavy vehicle owners, operators and drivers who present a risk;
- bulk trucking service brokerage permits;
- bus transportation permits;
- the register of owners and operators of heavy vehicles;
- the bulk trucking register.

For information or to receive documents on these subjects, refer to the CTQ website or contact the CTQ via the following channels:

Online

A secure email address is available on the following web page to submit a request for information:

ctq.gouv.qc.ca/english/to-reach-us/

Mailing address

Commission des transports du Québec

200, chemin Sainte-Foy, 7^e étage
Québec (Québec) G1R 5V5

Commission des transports du Québec

140, boulevard Crémazie Ouest
11^e étage, bureau 1100
Montréal (Québec) H2P 1C3

Telephone

1-888-461-2433 (from anywhere in Québec)

MINISTÈRE DES TRANSPORTS (QUÉBEC)

Québec's Ministère des Transports is responsible for the following trucking-related areas:

- road noise and engine brakes;
- road vehicle load and size limits;
- heavy vehicle travel and the trucking network;
- thaw period – load restrictions;
- shipping documents and bills of lading;
- energy efficiency of heavy vehicles;
- road trains;
- harmonization of trucking regulations in North America;
- the *Act respecting owners, operators and drivers of heavy vehicles*;
- cargo securement standards;
- special travel permits and oversized vehicles;
- Sustainable Mobility Policy - 2030 – Road Freight Transportation Intervention Framework;
- heavy vehicle safety;
- road signs and traffic signals;
- transportation of dangerous substances;
- bulk trucking.

For information or to receive documents on these subjects, refer to the Ministère des Transports (Québec) website or contact the Ministère via the following channels.

Online

An online form is available on the following web page to submit a request for information:

transports.gouv.qc.ca/en/contact-us

Mailing address

Ministère des Transports

500, boulevard René-Lévesque Ouest, bureau 4.010
Montréal (Québec) H2Z 1W7

Telephone

- From anywhere in Québec: 511
- From elsewhere: 1-888-355-0511 (Canada, United States)

GLOSSARY

Adjustment to a record

An adjustment made by the SAAQ intended to correct, amend, withdraw or add events or data to a heavy vehicle driver's record.

Age of events

A notion the effect of which is to decrease by half the weighting of events once they have been entered in a driver's record for longer than one year (as of the 366th day after the date of an event until the 730th day).

AOODHV

The *Act respecting owners, operators and drivers of heavy vehicles*.

At-fault accident

An accident for which a portion of the liability is assigned to the driver or to mechanical defects in the vehicle.

CC

The *Criminal Code*.

Commission des transports du Québec (CTQ)

The CTQ is responsible, in particular, for maintaining the register of owners and operators of heavy vehicles, assigning safety ratings to HVOOs, and assessing the conduct of and imposing measures and penalties on HVOOs and heavy vehicle drivers.

Conduct area

A category of events grouped together based on their nature and used as a basis for the ongoing conduct review of heavy vehicle drivers.

Conviction or guilty plea

An admission of guilt by a person having committed an offence, or a guilty verdict rendered by a court of law in respect of such a person.

Direction des politiques, de la performance et des relations avec le milieu

The SAAQ's Direction des politiques, de la performance et des relations avec le milieu is responsible for managing and processing the records of HVOOs and heavy vehicle drivers.

“Driver” out-of-service order

An order temporarily prohibiting a driver from driving a heavy vehicle as a result of the driver's failure to comply with certain provisions of the *Regulation respecting the hours of driving and rest of heavy vehicle drivers*.

Event

An accident, an offence, a “driver” out-of-service order or a critical offence.

Event outside Québec

An event occurring in another Canadian jurisdiction involving a heavy vehicle registered in Québec. Such events are taken into consideration in assessing a heavy vehicle driver’s conduct, which is not the case for events occurring outside Canada.

General offence report

A document by which a peace officer informs the appropriate body of an offence. A statement offence will be served, if applicable.

Heavy vehicle

A road vehicle within the meaning of section 2 of the *Act respecting owners, operators and drivers of heavy vehicles*. The *Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles* exempts certain types of heavy vehicles from the application of the Act.

Heavy vehicle driver conduct record

The record in which data and events are compiled as part of the monitoring of a heavy vehicle driver’s conduct. This record is compiled by the SAAQ from the data and events it receives from police services, the Commission des transports du Québec or any other administrative authority that governs road transportation.

HSC

The *Highway Safety Code*.

HVOO

A heavy vehicle owner or operator.

Measure

A corrective requirement, a penalty, a condition or an obligation imposed on a heavy vehicle driver by the Commission des transports du Québec.

Ministère des Transports (Québec)

The Québec government body responsible for, among other things, the *Act respecting owners, operators and drivers of heavy vehicles*.

Ongoing conduct review

The review of each heavy vehicle driver’s conduct on the road carried out continuously over a period of two years.

Operator

A person who controls the operation of a heavy vehicle.

Other Canadian jurisdictions

The Canadian jurisdictions other than Québec, namely, Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, Saskatchewan, the Northwest Territories, Nunavut and the Yukon.

Peace officer

A police officer with the Sûreté du Québec or with any of the various municipal police services, a carrier enforcement officer with Contrôle routier Québec, or a police officer or carrier enforcement officer in another Canadian jurisdiction.

Proof of non-liability for an accident

Proof of non-liability or, in certain cases, a written application submitted to the SAAQ by an operator to have liability for an accident withdrawn from its conduct review and from the conduct review of the driver involved.

Road open to public vehicular traffic

The type of road on which the Policy applies to heavy vehicle drivers. This type of road is considered to include the grounds of a shopping centre and any other land on which the public is permitted to travel.

Société de l'assurance automobile du Québec (SAAQ)

The SAAQ is responsible for, among other things, the *Conduct Review Policy for Heavy Vehicle Owners and Operators*, the *Conduct Review Policy for Heavy Vehicle Drivers*, and monitoring the records of HVOOs and heavy vehicle drivers.

Statement of offence

A document used by a peace officer or prosecuting body to serve notice of an offence in order to institute penal proceedings. It contains the information required to prosecute the offence.

Statement of suspension (of a driver's licence)

The statement of suspension (procès-verbal) served on a driver, which has for effect to suspend that driver's licence, serves as the basis for entering critical alcohol- or drug-related driving offences committed under the *Highway Safety Code* and the *Criminal Code* in a heavy vehicle driver's record.

Threshold value (number of points that must not be reached)

The number of points that must not be reached for each conduct area considered in the ongoing review of conduct on the road. Where a driver reaches or exceeds any of the threshold values, his or her record is referred to the CTQ.

Weighting

A point value assigned to events taken into consideration in the ongoing conduct review. An event's weighting depends on its severity in terms of the risk to road safety or to the integrity of the road network.

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**Société de l'assurance
automobile**

Québec 

Avec vous,
au cœur de votre sécurité