

## Immediate Roadside Sanctions (IRS) ZERO: Commercial Program

Effective January 1st 2022, drivers operating a commercial vehicle must have a zero blood alcohol/drug level when driving.

The IRS ZERO: Commercial Program aligns with Alberta Transportation's mandate to improve road safety for all users. Commercial drivers, operating in a commercial capacity, are held at a higher standard due to the complexity and size of commercial vehicles. This change also aligns with other Canadian jurisdictions who currently have a zero tolerance approach for commercial drivers who operate in a commercial capacity. The IRS ZERO: Commercial Program is administered under section 88.02 of the [Traffic Safety Act](#), and applies to drivers when law enforcement has reasonable grounds to believe that a commercial driver has operated a commercial vehicle in a commercial capacity with any alcohol or drug in their body.

The IRS ZERO: Commercial Program applies to any driver who is operating a:

1. Commercial vehicle, or combination of commercial vehicles, that has a registered gross vehicle weight of more than 11,794 kg
2. Commercial vehicle that has a manufacturer's seating capacity originally designed for 11 or more passengers, including the driver

**Commercial drivers must have a zero (0.00) blood alcohol concentration or blood drug concentration when driving a commercial vehicle.**

### Substances

The IRS ZERO: Commercial Program applies to all alcohol and drugs.

Under the IRS ZERO: Commercial Program, there is a zero tolerance approach for any alcohol or drugs, or both, for commercial drivers operating a commercial vehicle in a commercial capacity.

### Immediate Roadside Appeal

You can request a second breath test on a different instrument to confirm your blood alcohol concentration or a blood test for drugs to confirm your blood drug concentration.

If the results of your second test is less than any prohibited drug or alcohol concentration, your Notice of Administrative Penalty in the IRS ZERO: Commercial Program will be cancelled by law enforcement.

If the results of your second test is equal to or greater than any prohibited drug or alcohol concentration, your Notice of Administrative Penalty in the IRS ZERO: Commercial Program will be confirmed by law enforcement.



## Sanctions

Once the Notice of Administrative Penalty is issued by law enforcement, the driver's licence suspension or disqualification begins immediately. A Confirmation of Suspension will be sent to the last known address listed on your motor vehicle file.

If you reside outside of Alberta, your home jurisdiction will be notified of the suspension or disqualification.

Repeat alcohol driving occurrences show a pattern of high-risk driving behaviour and therefore the penalties escalate with each prior occurrence.

If you are issued a Notice of Administrative Penalty under the IRS ZERO: Commercial Program, you will receive the following sanctions:

### FIRST OCCURRENCE IN A 10-YEAR PERIOD

You will receive:

- An immediate 3-day driver's licence suspension where you are unable to drive under any circumstances
- A \$300 fine plus victim surcharge of 20%

### SECOND OCCURRENCE IN A 10-YEAR PERIOD

You will receive:

- An immediate 15-day driver's licence suspension where you are unable to drive under any circumstances
- A \$600 fine plus victim surcharge of 20%

### THIRD AND SUBSEQUENT OCCURRENCE WITHIN A 10-YEAR PERIOD

You will receive:

- An immediate 30-day driver's licence suspension where you are unable to drive under any circumstances
- A \$1,200 fine plus victim surcharge of 20%

If a commercial driver is issued an **IRS: WARN** or **IRS: FAIL**, the vehicle will be seized. However, the cargo (if applicable) will be released to the carrier.

*If you have questions specific to your business, or would like additional information, please reach out to your Lloyd Sadd Advisor.*

(Immediate roadside sanctions zero: Commercial program. Alberta.ca. (n.d.). Retrieved March 31, 2022, from <https://www.alberta.ca/immediate-roadside-sanctions-zero-commercial-program.aspx#:~:text=The%20IRS%20ZERO%3A%20Commercial%20Program,or%20drug%20in%20their%20body.>)

**LET US HELP YOU MANAGE YOUR RISK**

#### LOCATIONS

Edmonton: 1.800.665.5243

Calgary: 1.866.845.8330

Kelowna: 1.800.665.5243

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