



Below is a comprehensive table that incorporates the offences under Sections 320.11 to 320.18 of the **Criminal Code of Canada**, the penalties specified in Sections 320.19 to 320.27 and integrates additional notes and regulations specific to **federal** and **Ontario** jurisdictions, including driving prohibition periods. This is only a guide current to 2024-10-01. Please review up-to-date legislation for the current state of the law.

### Comprehensive Table of Offences, Penalties, and Prohibitions (Federal and Ontario)

#### Legend:

- **CC:** Criminal Code of Canada
- **MGDL:** Milligrams per decilitre
- **NG/ML:** Nanograms per millilitre

CC Section	Offence Description	Federal Penalties	Driving Prohibition Periods	Ontario Additional Penalties
320.13(1)	<b>Dangerous Operation (No Injury)</b>	- Indictable offence: Imprisonment up to <b>10 years</b> - Summary conviction: Up to <b>2 years less a day</b>	- Discretionary prohibition	- Possible licence suspension - Demerit points - Possible fine up to \$2,000
320.13(2)	<b>Dangerous Operation Causing Bodily Harm</b>	- Indictable offence - Imprisonment up to <b>14 years</b>	- Mandatory prohibition: <b>Minimum 1 year, up to 10 years</b>	- Licence suspension as per federal prohibition

CC Section	Offence Description	Federal Penalties	Driving Prohibition Periods	Ontario Additional Penalties
320.13(3)	<b>Dangerous Operation Causing Death</b>	- Indictable offence - Imprisonment for <b>life</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>life</b>	- Licence suspension as per federal prohibition
320.14(1)	<b>Operation While Impaired (Alcohol or Drug)</b>	<b>First Offence:</b> - Minimum fine of \$1,000  <b>Second Offence:</b> - Minimum 30 days imprisonment  <b>Subsequent Offences:</b> - Minimum 120 days imprisonment	<b>Federal Prohibition:</b> - <b>First Offence:</b> Minimum <b>1 year</b> - <b>Second Offence:</b> Minimum <b>2 years</b> - <b>Subsequent:</b> Minimum <b>3 years</b>	<b>Licence Suspension:</b> - Immediate 90-day administrative suspension - \$550 penalty - Mandatory education or treatment program - Ignition interlock for minimum 6 months
320.14(1)(a)	Operation with BAC $\geq$ 80 mg per 100 mL	<b>Same as 320.14(1)</b>	<b>Same as 320.14(1)</b>	<b>Same as above</b>
320.14(1)(b)	Operation with BDC over prescribed limit	<b>Same as 320.14(1)</b>	<b>Same as 320.14(1)</b>	<b>Same as above</b>
320.14(1)(c)	Operation with combination of alcohol and drug over limits	<b>Same as 320.14(1)</b>	<b>Same as 320.14(1)</b>	<b>Same as above</b>
320.14(2)	<b>Operation Causing Bodily Harm</b>	- Indictable offence - Imprisonment up to <b>14 years</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>10 years</b>	- Licence suspension as per federal prohibition - Possible vehicle impoundment

CC Section	Offence Description	Federal Penalties	Driving Prohibition Periods	Ontario Additional Penalties
320.14(3)	Operation Causing Death	- Indictable offence - Imprisonment for <b>life</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>life</b>	- Licence suspension as per federal prohibition - Possible vehicle impoundment
320.15(1)	Failure or Refusal to Comply with Demand	<b>First Offence:</b> - Minimum fine of \$2,000  <b>Second Offence:</b> - Minimum 30 days imprisonment  <b>Subsequent Offences:</b> - Minimum 120 days imprisonment	Same as 320.14(1)	Same as 320.14(1)
320.15(2)	Failure or Refusal Causing Bodily Harm	- Indictable offence - Imprisonment up to <b>14 years</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>10 years</b>	Same as for causing bodily harm under 320.14(2)
320.15(3)	Failure or Refusal Causing Death	- Indictable offence - Imprisonment for <b>life</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>life</b>	Same as for causing death under 320.14(3)
320.16	Failure to Stop After Accident	<b>No Injury:</b> - Indictable: Up to <b>10 years</b> imprisonment - Summary: Up to <b>2 years less a day</b> imprisonment  <b>Bodily Harm:</b> - Up to <b>14 years</b> imprisonment	<b>No Injury:</b> - Discretionary prohibition  <b>Bodily Harm:</b> - Mandatory prohibition: Minimum <b>1 year</b> , up to <b>10 years</b>  <b>Death:</b>	- Licence suspension may align with federal prohibition - Possible additional fines and penalties

CC Section	Offence Description	Federal Penalties	Driving Prohibition Periods	Ontario Additional Penalties
		<b>Death:</b> - Imprisonment for <b>life</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>life</b>	
<b>320.17(1)</b>	<b>Flight from Peace Officer (No Injury)</b>	- Indictable offence: Up to <b>5 years</b> imprisonment - Summary: Up to <b>2 years less a day</b> imprisonment	- Discretionary prohibition	- Possible licence suspension - Demerit points
<b>320.17(2)</b>	<b>Flight Causing Bodily Harm</b>	- Indictable offence - Imprisonment up to <b>14 years</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>10 years</b>	- Licence suspension as per federal prohibition
<b>320.17(3)</b>	<b>Flight Causing Death</b>	- Indictable offence - Imprisonment for <b>life</b>	- Mandatory prohibition: Minimum <b>1 year</b> , up to <b>life</b>	- Licence suspension as per federal prohibition
<b>320.18</b>	<b>Operation while Prohibited</b>	- Indictable offence: Imprisonment up to <b>10 years</b> - Summary conviction: Up to <b>2 years less a day</b>	- Discretionary prohibition	- Possible licence suspension - Demerit points - Possible fine up to \$2,000

**Table of Prescribed Drug Concentrations and Penalties**

Drug	Per Se Limit	Federal Offence & Penalties	Ontario Additional Penalties
<b>THC (Cannabis)</b>	<b>2 ng/ml but &lt; 5 ng/ml</b>	- Summary conviction offence - Maximum fine of \$1,000	- Immediate 3-day licence suspension - \$250 penalty

Drug	Per Se Limit	Federal Offence & Penalties	Ontario Additional Penalties
		- Discretionary prohibition	- Possible education program
THC (Cannabis)	≥ 5 ng/ml	Same as 320.14(1)	Same as above with increased penalties
Combined THC and Alcohol	≥ 50 mg/dl alcohol and ≥ 2.5 ng/ml THC	Same as 320.14(1)	Same as above with increased penalties
GHB	≥ 5 mg/L	Same as 320.14(1)	Same as above
Cocaine, Methamphetamine, LSD, Psilocybin, etc.	Any detectable level	- Zero-tolerance offence under federal law - Penalties align with 320.14(1)	- Immediate 3-day licence suspension - \$250 penalty - Possible education program

## Additional Notes and Regulations (Federal and Ontario)

### Federal Notes:

- **Mandatory Minimum Penalties:** Increase with each subsequent offence.
- **Ignition Interlock Program:** Offenders may be required to install an ignition interlock device as a condition for licence reinstatement after prohibition.
- **Aggravating Factors:** Higher penalties may apply if:
  - High BAC (e.g., double the legal limit)
  - Refusal to comply with a demand
  - Involvement of a minor
  - Collision causing injury or death
- **Defences:** Law provides for certain defences, such as having consumed alcohol after driving (Bolus drinking defence), but these are limited.

## Ontario-Specific Regulations:

- **Immediate Licence Suspensions:**
    - **Warn Range (BAC 0.05% - 0.079%):** 3-day suspension for first occurrence.
    - **BAC ≥ 0.08% or Drug-Impaired:** 90-day Administrative Driver's Licence Suspension (ADLS).
  - **Vehicle Impoundment:**
    - 7-day impoundment for drivers caught with BAC over legal limit or who refuse testing.
  - **Monetary Penalties:**
    - Administrative monetary penalties ranging from \$250 to \$550 depending on the offence.
  - **Education and Treatment Programs:**
    - **Back on Track Program:** Mandatory for offenders to regain driving privileges.
  - **Ignition Interlock Requirements:**
    - Mandatory installation for a minimum period upon reinstatement of licence.
  - **Zero Tolerance for Young, Novice, and Commercial Drivers:**
    - Any detectable presence of alcohol or drugs can result in penalties.
  - **Demerit Points:**
    - Accumulation may lead to further suspensions.
  - **Family Responsibility Office (FRO):**
    - Licence suspension for failure to pay child support is enforced in Ontario.
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## Important Considerations

- **Interaction Between Federal and Provincial Laws:**
  - Federal laws set the foundation for criminal offences and penalties.
  - Ontario adds administrative penalties that are applied immediately and can be in addition to federal penalties.
- **Legal Limitations:**
  - The federal legal limit for alcohol is **80 mg of alcohol per 100 ml of blood (0.08%)**.
  - Ontario's "Warn Range" is lower, starting at **50 mg per 100 ml (0.05%)**.
- **Enforcement Tools:**
  - **Standard Field Sobriety Tests (SFST):** Used roadside to assess impairment.
  - **Approved Screening Devices (ASD):** For alcohol breath tests.
  - **Drug Recognition Evaluations (DRE):** Conducted by trained officers.
  - **Oral Fluid Screening Devices:** Used to detect presence of certain drugs.