

**STANDARD 8**  
**SHORT-TERM SUSPENSION**



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### **MODEL LEGISLATION**

1. A peace officer may, at any time and place on a highway or industrial road, when he has reasonable and probable grounds to believe that a driver's ability to drive a motor vehicle is affected by:
  - a) alcohol,
  - b) drugs,

move or cause to be moved the motor vehicle to the nearest place off the travelled portion of the highway or industrial road and there, to request the driver to surrender his driver licence or any document issued in another jurisdiction that allows him to drive or operate a motor vehicle.
2. Where a peace officer requests a driver to surrender his driver licence under section 1, the driver shall forthwith surrender to the peace officer the licence issued to him under the law or any document issued in another jurisdiction that allows him to drive or operate a motor vehicle.
3. Unless the suspension from driving a motor vehicle is terminated under section 4, 5 or 6, the driver is automatically suspended from driving a motor vehicle for a period not to exceed 24 hours from the time the peace officer requested the surrender of the driver's licence.
4. Where a driver who is requested to surrender his driver licence under point a) of section 1 forthwith requests a peace officer to administer and does undergo, as soon as practicable, a test that indicates that his blood alcohol level does not exceed 50 mg of alcohol in 100 ml of blood, the driving suspension is terminated and the peace officer shall return the driver licence to the driver.
5. Where a driver who is requested to surrender his driver licence under point a) of section 1 produces to a peace officer having charge of the matter a certificate of a medical practitioner that:
  - a) states that the blood alcohol level of the driver did not exceed 50 mg of alcohol in 100 ml of blood at the time the certificate was signed, and
  - b) was signed after the driver was suspended from driving,

the driving suspension is terminated and the peace officer shall return the driver licence to the driver.

6. Where a driver who is requested to surrender his driver licence under point b) of section 1 satisfies a peace officer having charge of the matter that his ability to drive a motor vehicle is not affected by a drug, the driving suspension is terminated and the peace officer shall return the driver licence to the driver.
7. Except where a peace officer earlier returns a driver licence to a driver under section 4, 5 or 6, a driver licence surrendered pursuant to section 1 of this Act shall remain in the possession of a peace officer for a period not exceeding 24 hours.
8. Where a peace officer prohibits a person from driving a motor vehicle under this Act, the peace officer shall issue a notice of suspension to the driver, a report of the suspension is to be delivered to the appropriate authority on the recognized form established by the said authority, and the information contained in the report shall be entered on the driver's driving record.