

**MOTOR VEHICLES ACT**  
R-046-2018  
Registered with the Registrar of Regulations  
2018-12-06

**ROADSIDE SUSPENSION AND DISQUALIFICATION REGULATIONS**

The Commissioner, on the recommendation of the Minister, under section 349 of the *Motor Vehicles Act*, R.S.N.W.T. 1988,c.M-16, and every enabling power, makes the annexed *Roadside Suspension and Disqualification Regulations*.

Definitions

1. In the Act and these regulations, "detectable amounts",
- (a) with respect to tetrahydrocannabinol (THC), means an amount that is detectable using approved drug screening equipment as defined in section 320.11 of the *Criminal Code*; and
  - (b) with respect to a drug listed in section 2 or 3 other than tetrahydrocannabinol (THC) or Gamma hydroxybutyrate (GHB), has the same meaning as "detectable level" in the *Blood Drug Concentration Regulations* made under the *Criminal Code*.

Lower prescribed amount

2. For the purposes of subparagraphs 116.3(2)(b)(ii) and (d)(ii) of the Act, the lower prescribed amount for each drug set out in column 1 of the following table is set out in column 2:

Item	Column 1 Drug	Column 2 Lower prescribed amount
1	Tetrahydrocannabinol (THC)	2 nanograms per millilitre of blood
2	Lysergic acid diethylamide (LSD)	Detectable amounts
3	Psilocybin	Detectable amounts
4	Psilocin	Detectable amounts
5	Phencyclidine (PCP)	Detectable amounts
6	6-Monoacetylmorphine	Detectable amounts
7	Ketamine	Detectable amounts
8	Cocaine	Detectable amounts
9	Gamma hydroxybutyrate (GHB)	5 milligrams per litre of blood
10	Methamphetamine	Detectable amounts

Higher prescribed amount

3. For the purposes of subparagraph 116.3(2)(e)(ii) of the Act, the higher prescribed amount for each drug set out in column 1 of the following table is set out in column 2:

Item	Column 1 Drug	Column 2 Higher prescribed amount
1	Tetrahydrocannabinol (THC)	5 nanograms per millilitre of blood
2	Lysergic acid diethylamide (LSD)	Detectable amounts
3	Psilocybin	Detectable amounts
4	Psilocin	Detectable amounts
5	Phencyclidine (PCP)	Detectable amounts
6	6-Monoacetylmorphine	Detectable amounts
7	Ketamine	Detectable amounts
8	Cocaine	Detectable amounts
9	Gamma hydroxybutyrate (GHB)	5 milligrams per litre of blood
10	Methamphetamine	Detectable amounts

## Roadside Suspension and Disqualification Regulations

Combined amount of alcohol and tetrahydrocannabinol (THC)

**4.** For the purposes of subparagraphs 116.3(2)(b)(iii) and 116.3(2)(e)(iii) of the Act, the prescribed combined amount of alcohol and tetrahydrocannabinol (THC) is

- (a) 50 milligrams of alcohol per 100 millilitres of blood; and
- (b) 2.5 nanograms of tetrahydrocannabinol (THC) per millilitre of blood.

Notice

**5.** A notice under section 116.3 of the Act must include, if applicable:

- (a) the date of the occurrence leading to the suspension or disqualification;
- (b) the name, address and contact number of the driver;
- (c) the name, employer and badge number of the peace officer;
- (d) driver's licence number, customer identifier and other identifying information indicated on the driver's licence;
- (e) the type of occurrence under subsection 116.3(2) of the Act;
- (f) the effective date and time and the length of the suspension or disqualification;
- (g) a notice of the requirement to surrender the licence;
- (h) the conditions of the return or reinstatement of the licence;
- (i) details of the review process under section 116.6 of the Act.

Fee

**6.** The fee for requesting a review under section 116.6 of the Act is \$120.

**7.** **The *Breath Analysis Equipment Regulations*, R.R.N.W.T. 1990,c.M-25, are repealed.**

**8.** **The regulations come into force on the same day as subsections 68(4) and (5) of the *Cannabis Act*, S.Nu. 2018,c.7, come into force or, if they are already in force, on the day these regulations are registered by the Registrar of Regulations.**