

## Understanding demerit points

Demerit points are added to your driver's licence, if you are convicted of breaking certain driving laws. The rules are different depending on if you are a new driver or have a full licence. This information will explain how the demerit points system works.

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### How demerit points work

You don't "lose" demerit points on your driving record. You start with zero points and gain points for being convicted of breaking certain traffic laws.

Demerit points stay on your record for two years from the offence date. If you collect enough points, you **can lose** your driver's licence.

You can also get demerit points on your Ontario's driver's licence when you violate driving laws in:

- other Canadian provinces and territories
- the State of New York
- the State of Michigan

What happens if I get out-of-province demerit points?

### How demerit points are applied

The number of points added to your driving record depends on the offence. Here are the number of points that will be recorded for certain violations.

#### **7 demerit points will be added if you are convicted of:**

- failing to remain at the scene of a collision
- failing to stop when signaled or asked by a police officer

#### **6 demerit points will be added if you are convicted of:**

- careless driving
- racing
- exceeding the speed limit by 50 km/hour or more
- failing to stop for a school bus

### **5 demerit points will be added if you are convicted of:**

- failing to stop at an unprotected railway crossing (for bus drivers only)

### **4 demerit points will be added if you are convicted of:**

- exceeding the speed limit by 30 to 49 km/hour
- following too closely

### **3 demerit points will be added if you are convicted of:**

- driving while holding or using a hand-held wireless communications or entertainment device
- driving while viewing a display screen unrelated to the driving task
- exceeding the speed limit by 16 to 29 km/hour
- driving through, around or under a railway crossing barrier
- driving the wrong way on a divided road
- driving or operating a vehicle on a closed road
- failing to yield the right-of-way
- failing to obey a stop sign, traffic control stop/slow sign, traffic light or railway crossing signal
- failing to obey the directions of a police officer
- failing to report a collision to a police officer
- failing to slow and carefully pass a stopped emergency vehicle or a tow truck with its amber lights flashing
- failing to move, where possible, into another lane when passing a stopped emergency vehicle or a tow truck with its amber lights flashing
- improper passing
- improper driving when road is divided into lanes
- improper use of a high occupancy vehicle lane
- going the wrong way on a one-way road
- crossing a divided road where no proper crossing is provided
- crowding the driver's seat

### **2 demerit points will be added if you are convicted of:**

- improper right turn
- improper left turn
- improper opening of a vehicle door
- prohibited turns
- towing people — on toboggans, bicycles, skis
- unnecessary slow driving
- backing on highway
- failing to lower headlamp beams
- failing to obey signs
- failing to stop at a pedestrian crossing
- failing to share the road
- failing to signal
- driver failing to wear a seat belt

- driver failing to ensure infant/ child passenger is properly secured in an appropriate child restraint system or booster seat
- driver failing to ensure that a passenger less than 23 kg is properly secured
- driver failing to ensure that a passenger under 16 years is wearing a seat belt

[More about demerit points in Ontario \(https://www.ontario.ca/laws/regulation/940339\)](https://www.ontario.ca/laws/regulation/940339)

## Penalties for demerit points

The consequences for gaining demerit points depend on how many you have added to your driving record.

**As a driver with a full licence**, if you have:

### **2 to 8 points:**

You will be sent a warning letter.

### **9 to 14 points:**

Your licence could be suspended. You may have to attend an interview to discuss your driving record. At this meeting, you will need to provide reasons why your licence should not be suspended.

If you have to attend an interview, you will get a letter (Notice of Interview) to notify you of the time, date and location of the meeting. If you do not attend, your licence could be suspended.

The fee for a demerit point interview is \$50 and must be paid in person at [any ServiceOntario Centre \(https://www.ontario.ca/page/serviceontario-locations-hours-and-contact\)](https://www.ontario.ca/page/serviceontario-locations-hours-and-contact). You can pay the fee when you receive the Notice of Interview or within 10 business days of attending the interview. Failure to pay the interview fee will result in the cancellation of your driver's licence.

### **15+ points:**

Your licence will be **suspended for 30 days**.

When your licence is suspended, you will get a letter from the Ministry of Transportation. It will tell you the date your suspension takes effect and that you need to surrender your licence.

If you do not surrender your licence, you can lose your licence for up to two years.

## Penalties for demerit points: new drivers

You are considered a novice – or new – driver if you have a G1, G2, M1, M2, M1-L or M2-L licence. As a new driver, you face different consequences for adding demerit points.

**As a new driver**, if you have:

### **2 to 5 points:**

You will be sent a warning letter.

### **6 to 8 points:**

Your licence could be suspended. You may have to attend an interview to discuss your driving record. At this meeting, you will need to provide reasons why your licence should not be suspended.

If you have to attend an interview, you will get a letter (Notice of Interview) to notify you of the time, date and location of the meeting. If you do not attend, your licence could be suspended.

The fee for a demerit point interview is \$50 and must be paid in person at any ServiceOntario Centre (<https://www.ontario.ca/page/serviceontario-locations-hours-and-contact>). You can pay the fee when you receive the Notice of Interview or within 10 business days of attending the interview. Failure to pay the interview fee will result in the cancellation of your driver's licence.

### **9 or more points:**

Your licence will be **suspended for 60 days**.

When your licence is suspended, you will get a letter from the Ministry of Transportation. It will tell you the date your suspension takes effect and that you need to surrender your licence.

If you do not surrender your licence, you can lose your licence for up to two years.

## **Escalating Penalties**

If you are a novice driver and have committed an offence resulting in demerit points, you may also receive a licence suspension or cancellation under Ontario's escalating penalties program.

All drivers face penalties if they violate the laws of Ontario's *Highway Traffic Act*. Novice drivers can also receive "escalating" penalties – consequences that get stiffer with each similar offence – for breaking certain laws.

### **Escalating penalties can apply if you are:**

- convicted of breaking graduated licensing rules
- convicted of a *Highway Traffic Act* offence that results in four or more demerit points (e.g., street racing, careless driving)
- subject to a court-ordered suspension for a *Highway Traffic Act* offence that would have otherwise resulted in four or more demerit points

**For a first offence:** your driver's licence is suspended for 30 days.

**For a second offence:** your driver's licence is suspended for 90 days.

**For a third offence:** you will lose your novice licence. You will need to re-apply for your licence and start all over, taking all tests and paying all fees. You will also lose any time discount you earned, any time you were credited, and any fees you have paid.

## **To surrender your licence**

You can surrender a licence two ways:

- in-person at any ServiceOntario Centre (<https://www.ontario.ca/page/serviceontario-locations-hours-and-contact>)
- by mailing your licence to:

Ministry of Transportation  
Driver Control Section  
77 Wellesley Street West, Box 671  
Toronto, Ontario  
M7A 1N3

You **cannot** surrender a suspended licence at DriveTest centres.

## After your suspension is over

You may need to take your vision, written and road tests again. If you pass your tests, two things will happen:

- you will have your driver's licence reinstated
- the number of points on your record will be reduced
  - if you have a full licence, your points will be reduced to 7
  - if you have a novice licence, your points will be reduced to 4

These points will stay on your licence for two years. Any new points added to your record could bring you back for an interview.

If you reach too many points again, your licence will be suspended for another 6 months.

## Out-of-province demerit points

If you have been convicted of a driving offence in another Canadian province, the State of New York or Michigan, demerit points will be added to your driving record just as if the offence happened in Ontario.

### Traffic offences outside Ontario that will add demerit points:

- speeding
- failure to obey a stop sign
- failure to obey a signal light
- failure to stop for a school bus
- racing
- failing to remain at or return to the scene of an collision
- careless driving

### Criminal offences outside Ontario that will result in a suspension:

- vehicular manslaughter
- criminal negligence
- dangerous driving
- failure to remain at the scene of a collision

- impaired driving
- driving while disqualified or prohibited

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## **Related**

[Re-instate a suspended licence \(https://www.ontario.ca/page/reinstate-suspended-drivers-licence\)](https://www.ontario.ca/page/reinstate-suspended-drivers-licence)

[Driver's Handbook \(https://www.ontario.ca/document/official-mto-drivers-handbook\)](https://www.ontario.ca/document/official-mto-drivers-handbook)

[Get a G drivers' licence: new drivers \(https://www.ontario.ca/page/get-g-drivers-licence-new-drivers\)](https://www.ontario.ca/page/get-g-drivers-licence-new-drivers)