

IRS

Immediate Roadside Suspension Program

NOTE: The purchase of an application does not guarantee the suspension/disqualification will be overturned.

Before purchasing an Application for a Hearing for either the suspension/disqualification or the vehicle seizure (a separate application will be required for each type of appeal), please read the following information as the application and Alberta Registry Agent fees are NON-REFUNDABLE. The fee is \$125 for a written hearing or \$250 for an in-person hearing before the Alberta Transportation Safety Board ("Board"). Alberta Registry Agents will charge a service fee for the application and this cost may vary from agent to agent.

APPEALING AN IRS SUSPENSION/ DISQUALIFICATION

How long do I have to appeal my IRS suspension/disqualification?

You have 30 days to appeal your IRS, from the date you are served with the Notice of Suspension/Disqualification, under section 45(2) of the *Traffic Safety Act*.

When can I appeal an IRS suspension/disqualification?

If your licence is suspended or if you are disqualified through IRS for the second or subsequent time in a 10 year period, you may apply to appeal the suspension or disqualification to the Board under section 39 of the *Traffic Safety Act*.

You may not appeal an IRS suspension/disqualification when your licence is suspended or you are disqualified through IRS for the first time in a 10 year period.

What are the grounds for appeal of the IRS suspension/disqualification under the *Traffic Safety Act*?

Under section 39 of the *Traffic Safety Act*, the grounds for appeal of an IRS suspension or disqualification are if the person can show:

- he/she did not drive the vehicle, or
- he/she had not consumed alcohol in a quantity to make their blood alcohol concentration 50 milligrams percent or greater within three hours of driving.

What grounds will NOT be considered for appeal of the IRS suspension/disqualification?

The Board will not consider the following grounds for appeal:

- hardship caused by the suspension or disqualification;

What documents do I send the Board when appealing an IRS suspension/disqualification?

You must provide the Board with the following:

- an original appeal application
- a copy of the Notice of Suspension/Disqualification, and
- any relevant information or sworn/affirmed statements.

APPEALING AN IRS VEHICLE SEIZURE

See Information Sheet for Vehicle Seizure or Immobilization Appeal Hearing.

For further information regarding appeals, contact the Alberta Transportation Safety Board:

Main Floor, Twin Atria Building
4999 – 98 Avenue
Edmonton, AB T6B 2X3
780-427-7178

OR

Suite 302 Willow Park Centre
10325 Bonaventure Drive SE
Calgary, AB T2J 7E4
403-297-3466

To locate a Registry Agent near you, please refer to your local telephone directory under Licensing and Registry Services, online at www.servicealberta.gov.ab.ca, or by contacting 780-427-7013 (Toll free in Alberta by dialing 310-0000).

For more information on the Immediate Roadside Sanction (IRS) Program please visit the following link:

www.transportation.alberta.ca/Content/docType4789/Production/IRS.pdf

It is highly recommended that you review the applicable sections of the *Traffic Safety Act*.