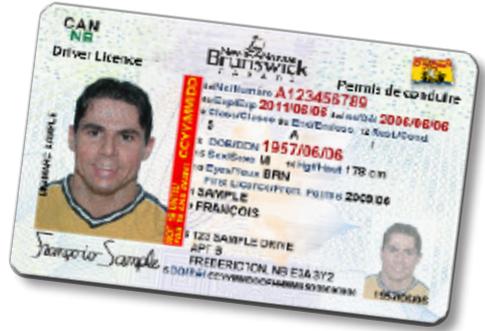


## 1. LICENSING OF DRIVERS

Possession of a driver's licence and the privilege of driving is a major responsibility. The Registrar of Motor Vehicles, under the authority of the *Motor Vehicle Act* issues, renews and suspends driver's licences.

Every person who operates a motor vehicle in New Brunswick must demonstrate that he/she has the qualifications necessary to safely operate a motor vehicle. A valid driver's licence for the class of vehicle being operated is a requirement of the law. You must always carry your driver's licence when operating a vehicle and must produce it for inspection on the request of any peace officer or display it on request to any other driver with whom you may be involved in a collision.



**Note:** As of June 1, 2009 all motorists in New Brunswick under the age of 21 must maintain a 0% Blood Alcohol Level while driving.



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## 1.1 Types of Licences

### Class 1

- Applicant must be at least 18 years of age.
- Applicant must meet medical standards before written test.
- Must pass vision screening (20/30 best eye; 20/50 weakest eye).
- Must pass written tests (basic - sign - supplementary).
- Must pass road test in a mechanically fit vehicle supplied by applicant that is included in the Class. Normally this will be a tractor-trailer combination. There are limited exceptions: (1) straight truck with flatbed trailer over 4,500 kg. gross vehicle mass; (2) straight truck with pole trailer; (3) truck used for towing mobile homes. These exceptions will be class 1 with Restriction 10 (not valid for tractor trailer).

### Explanation

The Class 1 licence permits the holder to operate:

- Any motor vehicle which the holder of a Class 2, 3, 4 or 5 licence may operate.
- Any truck tractor.
- Any truck tractor towing a semi-trailer.
- Any truck tractor towing a semi-trailer and a trailer.
- Any truck tractor towing a trailer equipped with air brakes.
- Any truck towing a trailer equipped with air brakes.
- Must have air brake endorsement when driving any vehicle with air brakes and any vehicle towing a trailer with air brakes.

**Class 2**

- Applicant must be at least 18 years of age.
- Applicant must meet medical standards before written test.
- Must pass vision screening (20/30 best eye; 20/50 weakest eye).
- Must pass written tests (basic - signs- supplementary).
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.
- Must have a B or C endorsement if driving a school bus.
- Must be at least 21 years of age and retested every 2 years for a school bus.
- Applicants between the ages of 60-65 must be retested yearly for school bus.

**Explanation**

The Class 2 licence permits the holder to operate:

- Any motor vehicle which the holder of a Class 3, 4 or 5 licence may operate.
- Any bus with a capacity of more than twenty-four (24) passengers.



### Class 3

- Applicant must be at least 18 years of age.
- Applicant must meet medical standards before written test.
- Must pass vision screening (20/30 best eye; 20/50 weakest eye).
- Must pass written tests (basic - signs - supplementary test).
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.

### Explanation

The Class 3 licence permits the holder to operate:

- Any motor vehicle which the holder of a Class 5 licence may operate.
- Any two-axled motor vehicle towing a towed vehicle, the towed vehicle being registered for over 4,500 kg. gross vehicle mass but not equipped with air brakes.
- Any motor vehicle with three or more axles.
- Any motor vehicle with three or more axles, towing a towed vehicle not equipped with air brakes.

### Class 3/4

Authorizes a person to drive any motor vehicle which the holder of a Class 3 or Class 4 licence may operate.



### Class 4

- Applicant must be at least 18 years of age.
- Applicant must meet medical standards.
- Must pass vision screening (20/30 best eye; 20/50 weakest eye, before written test).
- Must pass written tests (basic - signs).
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.

### Explanation

The Class 4 licence permits the holder to operate:

- Any motor vehicle which the holder of a Class 5 licence may operate.
- Any ambulance.
- Any taxicab.
- Any bus with a capacity of less than twenty-five (25) passengers.

**Class 5**

- Applicant must be at least 18 years of age.
- Must pass vision screening (20/40 best eye).
- Must pass road test in mechanically fit vehicle supplied by the applicant that is included in this Class.

**Explanation**

Class 5 licence permits the holder to operate:

- Any two-axled motor vehicle, except taxi, ambulance, or bus.
- Any three-axled motor home.
- Any three axled motor vehicle, other than a truck, of a type designed for use in the construction, maintenance and repair of highways, whether or not the vehicle is to be so used.
- Any towed vehicle which is registered up to and including 4,500 kg. gross vehicle mass behind a motor vehicle or motor home.

**Class 6 (All Motorcycles)**

- Applicant must be at least 16 years of age.
- Applicants under the age of 18 years must have parental consent form.
- Must pass vision screening (20/40 best eye).
- Must pass written tests (basic - signs - supplementary).
- Must pass road test on mechanically fit motorcycle.
- Must wear adequate protective headgear.

**Explanation**

The Class 6 licence permits the holder to operate a motorcycle and all vehicles included in Classes 6D and 9 on a street or highway.

**Class 6D (Not to exceed 550 ccs)**

- Applicant must be at least 16 years of age.
- Applicants under the age of 18 years must have parental consent form.
- Must pass vision screening (20/40 best eye).
- Must pass written tests (basic - signs - supplementary).
- Must pass road test on mechanically fit motorcycle.

### Explanation

Class 6D licence authorizes you to operate a motorcycle up to and including 550 ccs and a Class 9 vehicle. Anything over this size requires a Class 6 licence.

### Class 7 Graduated Licence (Level I and II)

This is an instructional type of licence for the driver to acquire experience, over a minimum of 24 months, before becoming a fully licensed driver. While the holder of a graduated licence, the driver must maintain 0% blood alcohol content while driving and any breach of this condition will result in a one year suspension, followed by a return to the beginning of the graduated licence period with no credit given for a previously passed road test or driver training course.



**Class 7 licence is issued for four years.**

**It is your responsibility to apply for a Class 5 Licence upon completion of a Class 7 Graduated Licence (Level II)**

Suspension for loss of all points will result in at least a three month suspension followed by a return to the beginning of the graduated licence period with no credit given for a previously passed road test or driver training course.

- Applicant must be at least 16 years of age.
- Applicants under 18 years of age must have parental consent that must be witnessed by a non-relative.
- Must pass vision screening (20/40 best eye).
- Must pass written, basic and signs tests.

### Explanation

#### Level 1

- Must be accompanied by only one passenger who has a Class 5 or better licence, at least three years of driving experience and who is seated in the front passenger seat.
- Cannot drive between midnight and 5:00 a.m.
- Can be eligible to take the road test for Level 2 after eight months if graduated from a licensed driver training school or after 12 months if they have not.

**Level 2**

- If under 21, cannot drive between midnight and 5:00 a.m. except for education or work purposes or if they're accompanied by a driver who has a Class 5 or better licence and at least three years driving experience. They can apply to the Registrar of Motor Vehicles for an exemption to this night time restriction for other reasons.
- Cannot have more than three passengers in their vehicle and no more than one passenger in the front seat.

**Class 8**

- Applicant must be at least 14 years of age.
- Applicants under 18 years of age must have parental consent form.
- Must pass vision screening (20/40 best eye).
- Must pass written tests (basic - signs).

**Explanation**

The Class 8 licence permits the holder to operate a farm tractor on a street or highway as well as on farmland.

**Class 9**

- Applicant must be at least 14 years of age.
- Applicant under 18 years of age must have parental consent form.
- Must pass vision screening (20/40 best eye).
- Must pass written tests (basic - signs) and supplementary.
- Must pass road test on a mechanically fit motor driven cycle.
- Must wear adequate protective headgear.

**Explanation**

The Class 9 licence permits the holder to operate a motor driven cycle and farm tractor on a street or highway. The motor driven cycle must be 50 ccs or under.

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**1.2 List of Possible Endorsements**

- A Valid for all motorcycles
- B Valid for school buses
- C Valid for school bus and motorcycle
- D Valid for motorcycles up to and including 550 ccs
- E Valid for air brake (plastic licence)

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### **1.3 Learning to Drive Vehicles Requiring Higher Class Licences**

Classes 5, 4, 3 and 2 are valid for learning to drive higher classes of vehicles; however you must be accompanied by a person who has a valid licence for that class of vehicle.

Also, you must have in your immediate possession a satisfactory medical certificate stamped by an authorized Driver Examiner.

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### **1.4 Examination for Learner's Licence**

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**There is a separate fee for both written and road tests and an additional fee for the Learner's Licence. Check with Service New Brunswick for the amounts.**

Before you, as a resident of New Brunswick, may obtain a learner's licence, you must pass an examination to determine if you meet the required vision standards. You must also have an acceptable knowledge of road signs, rules of the road and safe driving practices. In addition, you must present one original or certified copy of a valid passport, birth certificate, or court order to verify your name and date of birth and two pieces of identification to verify your current address. Please contact Service New Brunswick for a complete list of acceptable documents. It may be a requirement for a parent or guardian to accompany you to verify your address.

You must have the written consent of a parent or guardian before applying for a licence if you are less than 18 years of age. A consent form is provided at the back of this book and must be witnessed properly.

This written consent may be withdrawn by the parent or guardian at any time prior to age 18, by making written application to the Registrar of Motor Vehicles who may then cancel the licence.



#### **Vision Test**

If it is found that you need visual correction in order to drive safely, you will be advised accordingly and no further testing can occur and a licence cannot be issued to you until you obtain the necessary correction. When a driver's licence is issued, it will display the appropriate restriction "Valid only while licence holder is wearing proper visual correction".

## **Road Sign Recognition Test**

You will be given a written or oral examination on your ability to recognize and understand the meaning of highway road signs. This test consists of twenty (20) signs. To pass, you must correctly match sixteen (16), with the exception of “stop”, “yield” and “school ahead” which are mandatory.

## **Rules Test**

You will be given a written or oral examination on the traffic laws and rules for safe driving as contained in this book. The written exam consists of twenty (20) multiple choice questions. To pass, you must answer sixteen (16) correctly. Although this guide offers measurements in both Metric and Imperial systems, the written test refers only to the Metric system.

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### ***1.5 Examination for Driver’s Licence***

Note: Appointments for testing can only be booked through Service New Brunswick Teleservices (1-888-762-8600)

You must pass a driving examination to determine whether you are qualified to operate a motor vehicle safely before you can be issued a driver’s licence. These examinations are conducted by a Driver Examiner who also indicates the areas of your driving which need further improvement and stresses the importance of your attitude as a determining factor in safe driving.

## **Driving Test**

This is an examination to test your actual driving skills and your ability to operate a vehicle safely while abiding by the rules of the Motor Vehicle Act. You must come to the examination office with a vehicle that is in good mechanical condition, preferably the one which you expect to operate after you obtain your driver’s licence. (You must have the valid motor vehicle registration and insurance card to show the Examiner upon request). As part of the road test, the vehicle will be checked by the Examiner to ensure that it meets the standards set out under the Motor Vehicle Act. The road test will not be conducted if the vehicle is not in satisfactory mechanical condition.

During the driving test, do not talk unnecessarily to the Examiner who will be busy giving instructions, observing your performance and recording your score. No tricks will be played on you. The Examiner will not ask you to do anything which is a violation of the law. The purpose of the exam is to determine if you can operate a motor vehicle well enough to receive a driver's licence.

The driving test includes such operations as:

1. Stopping and starting, both on a level road and on a hill.
2. Changing gears in vehicles not having automatic transmissions, both on a level road and on a hill.
3. Making left and right turns.
4. Backing.
5. Following another vehicle properly.
6. Giving proper signals.
7. Parallel and/or angle parking.
8. Observing and complying with traffic control devices (signs, signals and pavement markings).

The examination will be conducted over a course of at least 3 km, and when possible, will be conducted in fairly dense traffic. The exam also tests your ability to apply your knowledge of the rules of the road, recognition of road signs, visual perception, etc.

You may know every safe driving rule, may have adequate vision and other physical abilities and may exhibit the most exemplary attitude, but until you show your ability and skill in an actual driving test, you have not proven that you are competent to operate a motor vehicle safely upon the highway.

*The following is a sample of the road test evaluation form used by the examiner while conducting a driving test. If you are learning to drive, it may help you to have your teacher grade you, using this form. As a driver, you have developed certain driving habits. Why not have your licensed passenger verify your driving?*

**A. VEHICLE HANDLING**

	<b>Pass</b>	<b>Fail</b>	<b>Needs-Training</b>
Starting	_____	_____	_____
Remarks	_____		
Backing	_____	_____	_____
Remarks	_____		
Parking	_____	_____	_____
Remarks	_____		
Starting from curb	_____	_____	_____
Remarks	_____		
Stopping from upgrade	_____	_____	_____
Remarks	_____		
Posture	_____	_____	_____
Remarks	_____		

**B. TRAFFIC CONDITONS**

	<b>Pass</b>	<b>Fail</b>	<b>Needs-Training</b>
Following	_____	_____	_____
Remarks	_____		
Passing	_____	_____	_____
Remarks	_____		
Being passed	_____	_____	_____
Remarks	_____		
Use of horn	_____	_____	_____
Remarks	_____		
Right of way	_____	_____	_____
Remarks	_____		

<b>C. ROAD TEST</b>	<b>Pass</b>	<b>Fail</b>	<b>Needs-Training</b>
Stop signs	_____	_____	_____
Remarks	_____		
Traffic lights	_____	_____	_____
Remarks	_____		
Left turns	_____	_____	_____
Remarks	_____		
Left turn from one way street	_____	_____	_____
Remarks	_____		
Right turn	_____	_____	_____
Remarks	_____		
Blind intersection	_____	_____	_____
Remarks	_____		
Multiple lanes	_____	_____	_____
Remarks	_____		
Other signs	_____	_____	_____
Remarks	_____		
Attention	_____	_____	_____
Remarks	_____		
One-way street	_____	_____	_____
Remarks	_____		

**Road Test Summary**

At the end of the test the examiner will explain the ways in which your driving skills require improvement and will advise you on how to improve.

## Re-examination After Failure

If you do not pass the examination, the Examiner will advise you of the reasons for your failure and you will be asked to return after further study and more practical road experience.

Minimum waiting periods are as follows:

First Failure - one week

Second Failure - two weeks

Third Failure - three weeks

If you have not successfully completed the required test after a period of six months, the written exam must be completed again.

## Restrictions

If you are unable to pass the complete examination without some type of special equipment, or if you were not tested in a vehicle that allowed you to operate all vehicles covered by the class of licence being issued, or if there was a medical requirement imposed, your licence will restrict you to driving with such equipment or other limitations.

Possible restrictions are:

1. Must wear corrective lenses.
2. Vehicle must be equipped with side view mirrors.
3. Vehicle must be equipped with hand controls.
4. Vehicle must be equipped with automatic transmission.
5. Steering wheel must be equipped with steering knob.
6. Restricted to Daylight Driving Only.
7. Combination of Restrictions 1 and 2.
8. Combination of Restrictions 3 and 4.
9. Combination of Restrictions 4 and 5.
10. Head Office Restriction – Contact Head Office
  - Automatic Transmission: Commercial and Bus
  - Not Valid for Tractor Trailers
  - Not Valid for Ambulance
  - Not Valid: Ambulance/Bus < 25 Passengers
11. Medical Restriction – Contact Head Office
12. valid in NB only
15. for work only
16. Ignition Interlock
21. Motor Driven Cycle and Farm Tractor
22. medical purposes only
23. 0% Blood Alcohol Level while driving until (age 21).
- W. Commercial – Canada Only

**Expiry Date**

An individual's driver's licence expires on the licensee's birthday in the year of expiration.

**Change of Address**

Drivers are required by law to advise the Motor Vehicle Branch of any change in address within ten (10) days.

**Change of Name**

Drivers are required by law to advise the Motor Vehicle Branch of any change in name within ten (10) days.

**Renewal of Licence**

When renewing your driver's licence you must notify the Motor Vehicle Branch of:

1. Any changes in your physical or mental condition which might limit or alter your ability to operate a vehicle (some examples are heart condition, mental condition, mental breakdown, eye diseases, limbs, diabetes or conditions resulting in loss of consciousness); and
2. Revocation or suspension.

Doctors and Optometrists are required by law to report anything that would affect the driving ability of their patient.

Failure to provide this information may prohibit renewal of driving privileges. The renewal application form should be carefully read before signing.

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### **1.6 How You May Lose Your Driving Privilege**

The Registrar **MUST** suspend your driving privileges for any of the following reasons:

- a) When a total of ten points is assessed against your driving record (other than a newly licensed driver).
- b) When a newly licensed driver loses all points credited to him/her.
- c) Upon conviction for operating or permitting operation of a motor vehicle that is uninsured.
- d) When any points are assessed against an unlicensed driver or a non-resident unlicensed driver.
- e) A conviction for altering a licence.

#### **Newly Licensed Driver Point Suspension**

A newly licensed driver means any driver who has been licensed for less than four years.

Every driver in this category is credited with four points after being issued with a licence. A further two points will be credited to these drivers each subsequent year to a maximum of ten points.

When a newly licensed driver loses all points he/she will be suspended by the Registrar.

#### **Ten (10) Point Suspension**

Every driver, other than a newly licensed driver, is included in this category for suspension purposes.

Three points accumulated in any way is the signal for a warning letter to be issued. After loss of seven (7) points, a second letter is sent from the Registrar advising that further loss of points could result in the suspension of your driver's licence. Ten (10) accumulated points incur automatic suspension.

No demerit points remain on a driver's record for more than two years from the date of convictions. Thus the points accumulated on any particular day will be removed from the driver's record two years later, providing ten (10) points have not been accumulated within a two year period which resulted in a suspension.

## Appeals

Suspension of driving privileges for the first time in three years for loss of all points for offences under the *Motor Vehicle Act* may be appealed to the Registrar of Motor Vehicles.

Suspension of driving privileges as the result of a first conviction of a Criminal Code offence in three years may be appealed to a Judge of the Court of Queen's Bench.

The Registrar or the Courts cannot recommend reinstatement of a licence unless the applicant's appeal application states that the ability to operate a motor vehicle is essential in avoiding the loss of the applicant's livelihood.

The filing of an application does not guarantee the reinstatement of one's driving privileges.

No appeal can be processed by the Court while a prohibition order is in force.

## Suspension of Driving Privilege

Suspensions resulting from accumulation of demerit points for offenses under the *Motor Vehicle Act* are for a period of three months.

Suspensions resulting from a first conviction under the Criminal Code for the following offenses is twelve months for the first conviction, second or subsequent convictions within a three year period – twenty-four (24) months, fines are from \$300.00 to \$2,000.00.

1. Criminal negligence;
2. Dangerous operation of a motor vehicle;
3. Driving while disqualified.

The suspension for the first alcohol related Criminal Code conviction is one year, second conviction is three years and third or subsequent conviction is five years.

Suspension for any other Criminal Code conviction involving the use of a motor vehicle - six months, second or subsequent offence within three years - twelve months.

Suspensions for a conviction for failing to stop when requested by a peace officer or continuing to avoid a peace officer who is pursuing him/her – suspension can be for a period up to three years, imposed by the court.

Suspensions resulting from a conviction under the *Motor Vehicle Act* for driving while suspended are twelve months for the first conviction and twenty-four months for the second or subsequent conviction within three years.

### **Reinstatement**

Licences so suspended may be reinstated after the suspension period imposed has elapsed providing certain conditions have been satisfied.

After a suspension for loss of points for offenses under the *Motor Vehicle Act*, you must pay a reinstatement fee.

After a suspension for conviction under the Criminal Code involving alcohol, you must take a Drinking & Driving Re-Education Course and pay a reinstatement fee.

In some cases, after the period of suspension is completed, the driver regains his/her licence “on probation” for one year. Any conviction during the year’s probation will automatically bring into effect additional periods of suspension.

**IN ALL CASES WHERE A LICENCE HAS BEEN SUSPENDED, IT REMAINS SUSPENDED UNTIL REINSTATED BY THE REGISTRAR REGARDLESS OF THE FACT THAT THE TERM OF SUSPENSION HAS EXPIRED.**

### **Financial Responsibility**

A driver involved in a collision in which a person is injured (even slightly) or killed or the total property damage amounts to \$1,000.00 or more must be able to prove his/her financial responsibility at the time of the collision. The accepted proof is a New Brunswick Liability Insurance Card, issued by an authorized insurance company, showing that public liability and property damage coverage has been issued on behalf of the driver or the owner of the vehicle.

Some examples of point loss offences are provided:

- For any offence under the Criminal Code involving the use of a motor vehicle  
..... 10 points
- For failure to report a collision  
..... 5 points
- For driving without due care  
..... 5 points
- For speeding more than 25 km (15 miles) over speed limit  
..... 5 points
- For speeding 25 km (15 miles) per hour or less over speed limit  
..... 3 points
- For any offence under the *Motor Vehicle Act* or local by-law involving the use of a motor vehicle in motion  
..... 3 points
- For unlawful parking with view obstructed  
..... 3 points
- For unlawful parking without view obstructed  
..... 2 points
- For any offence under the *Motor Vehicle Act* involving the equipment of a motor vehicle  
..... 2 points
- For driver not properly wearing a seat belt:  
..... 2 points
- For unlawful parking in a zone reserved for the disabled  
..... 2 points

The Registrar, on receipt of a collision report that does not show that the owner or driver has financial responsibility, must suspend the motor vehicle privileges of the owner and operator and cancel all registrations and licences of both the owner and driver. Before reinstatement can be made, proof of financial responsibility for the future must be filed with the Registrar of Motor Vehicles.

### Point System

The point system is designed to protect drivers (and most drivers are careful) against the dangers of sharing the highways with those who cause collisions. The system imposes no hardship on safe drivers – but it is strict on law violators!

Nearly every collision is caused by someone who breaks a traffic law. When traffic laws are obeyed, collision rates drop. Good drivers can then drive with greater safety.

### How it Operates

The point system has proven to be beneficial in many jurisdictions. In New Brunswick, it provides a graduated number of demerit points for traffic convictions of different levels of seriousness. The violator loses his/her licence when his/her total demerits demonstrate he/she is a greater danger to others on the highway.

Suspension resulting from an accumulation of demerit points remains in effect for three months.

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### **1.7 Driver Improvement Re-education**

The Registrar, at any time, may require any driver to be re-examined if there is a question about the driver's physical condition or driving ability. If a re-examination is required due to a poor driving record (collisions, convictions, etc.) it will be conducted by a Driver Examiner.

Although the re-examination is basically the same as the qualifying examination, this test is designed to correct and improve any areas of the driving skills that are below set standards for the safe operation of a motor vehicle.

From the results of the re-examination the Registrar will consider whatever further driver improvement action is necessary. If a medical condition appears to be contributing to an individual's driving problems, a medical report may be required. This medical report is reviewed by the Medical Advisory Board on driver licensing and its recommendation is provided to the Registrar. Under Section 309 of the *Motor Vehicle Act*, a driver may be totally retested to see if the medical reason affects the driving ability of the person.