

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 fees are NON-REFUNDABLE. The fee is \$125 for a non-oral written hearing or \$250 for an oral 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, call:

Edmonton: (780) 427-7013

Outside Edmonton, call: 310-0000 and ask for 427-7013 or, look under “Licence and Registry Services” in your local directory.

For more information on the Immediate Roadside Sanction (IRS) Program please go to the following link

<http://www.transportation.alberta.ca/Content/docType4789/Production/IRS.pdf>

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