

Part1: 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

they have 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.

DID YOU KNOW?...

All motorists in New Brunswick under the age of 21 must maintain a 0% Blood Alcohol Level while driving.

1.1 Types of Licences

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 per cent** blood alcohol content while driving and not consume any drugs that could impair ability to drive. 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 previously passed tests or driver training course.

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 previously passed tests or driver training courses.

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

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.

DID YOU KNOW?...

It is your responsibility to apply for a Class 5 Licence upon completion of a Class 7 Graduated Licence (Level 2).

Class 5

Class 5 licence permits the holder to operate:

- Any two-axled motor vehicle, except taxis, ambulances, or buses;
- 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 of above-noted vehicles towing a vehicle which is registered up to and including 4,500 kg. gross vehicle mass.



Requirements

- 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.

Class 4

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 25 passengers.



Requirements

- 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 all written tests.
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.
- Note that your licence may be restricted to the type of vehicle in which your test is conducted.

Class 3

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.



Requirements

- 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 all written tests.
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.

DID YOU KNOW?...

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 2

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 24 passengers.



Requirements

- 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 all written tests.
- Must pass road test in mechanically fit vehicle supplied by applicant that is included in this Class.
- A "B" or "C" endorsement is required to drive a school bus.
- Must be at least 21 years of age to drive a school bus.

Class 1

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.



Requirements

- 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 all written tests.
- 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).

DID YOU KNOW...

Any driver operating or towing a vehicle with air brakes must have an air brake endorsement.

Class 6

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. A class 6D authorizes the holder to operate a motorcycle up to and including 550 cc's and a class 9 vehicle. The same requirements apply to both Class 6 and Class 6D.



Requirements

- Applicant must be at least 16 years of age.
- Applicants under the age of 18 years must have parental consent form.
- Must have successfully completed an approved mandatory motorcycle training course (blue certificate).
- Must pass vision screening (20/40 best eye).
- Must pass all written tests.
- Not eligible to attempt road test for minimum of 12 months.
- May not carry any passengers or tow a trailer.
- May not ride between sunset and sunrise.
- Zero tolerance for alcohol and drugs.
- Must pass road test on mechanically fit motorcycle.

Graduated Driver's Licensing Program for motorcyclists

Motorcyclists are among the most vulnerable road users in New Brunswick. The Graduated Driver's Licensing (GDL) program introduces new drivers to high risk situations slowly, as experience is gained.

- The program is 12 months in duration.
- The minimum age of entry is 16 (applicants under 18 years of age must have consent that is witnessed by a non-relative).
- Participants must successfully pass an approved motorcycle driver training course.
- Participants will be required to pass a vision screening and their written, basic and sign tests.
- Participants must maintain zero Blood Alcohol Concentration (BAC) and zero drug use while driving for the duration of the GDL program regardless of age.
- Participants cannot drive from sunset to sunrise.
- Participants are not permitted to tow a "vehicle" as defined in the *Motor Vehicle Act* (i.e. trailer).
- Participants cannot have any passengers on their motorcycle for the duration of the GDL program.

- Participants must have their motorcycle GDL licence for 12 months without interruption before attempting the road test.
- Participants must successfully pass an on-road test before becoming fully licensed.

For more information on operating a motorcycle, see **Part 8: What every motorcyclist should know.**

Additional Classes

Class 8

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



Requirements

- Applicant must be at least 14 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 all written tests.

Class 9

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.

Requirements

- Applicant must be at least 14 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 all written tests.
- Must pass road test on a mechanically fit motor driven cycle.
- Must wear adequate protective headgear.

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
- H Valid for motorcycles up to and including 550 ccs (graduated driver)
- I Valid for all motorcycles (graduated driver)

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.

1.4 Examination for learner's licence

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. Contact Service New Brunswick for a complete list of acceptable documents or review the list online at www.gnb.ca (search the keywords "driver's licence"). It may be a requirement for a parent or guardian to accompany you to verify your address.

DID YOU KNOW...

There is a separate fee for both written and road tests and an additional fee for the licence issuance. Check with Service New Brunswick or SNB.ca for the amounts.

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 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. In order to pass the test you must correctly identify "stop", "yield", and "school zone" signs and have not more than four errors on the remaining signs.

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.

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. Defective equipment or improper registration plates will result in a delay of the driving test until legal requirements are met. If the test is delayed, you must arrange for a new driving test.

If you have an instructional licence, you must be accompanied to the Examining Station by a licensed driver. If you are presently unlicensed, then a licensed driver must drive your vehicle to the Examining Station.

Applicants for a Class 4 licence will be road tested in the type of vehicle they intend to drive. The medical fitness report will be identified as being either for an ambulance, taxi or small bus. The road test will then be taken only in that type of vehicle.

Applicants for all other classes (Classes 1, 2, 3, 5, 6 and 9) will be road tested in the type of vehicle covered by those classes.

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:

- Stopping and starting, both on a level road and on a hill.
- Changing gears in vehicles not having automatic transmissions, both on a level road and on a hill.
- Making left and right turns.
- Backing.
- Following another vehicle properly.
- Giving proper signals.
- Parallel and/or angle parking.

- 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.

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

If you are a new driver or applying for an additional class of licence and you are unsuccessful on a written or road test, the examiner will advise you of the reasons why and you will be asked to return after further study or practical road experience. Minimum wait periods apply in most cases.

All test results are valid for only six months. If you are unable to successfully complete all components required for a particular class or you neglect to have your licence issued, you will be required to redo all tests that have expired.

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. Zero tolerance for alcohol or drugs 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. You are responsible for keeping track of the expiry date of your driver's licence.

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:

- 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
- revocation or suspension.

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

1.6 How you may lose your driving privilege

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

- When a total of 10 points is assessed against your driving record (other than a newly licensed driver).
- When a newly licensed driver loses all points credited to them.
- Upon conviction for operating or permitting operation of a motor vehicle that is uninsured.
- When any points are assessed against an unlicensed driver or a non-resident unlicensed driver.
- 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 a licence. A further two points will be credited to these drivers each subsequent year to a maximum of 10 points.

When a newly licensed driver loses all points they 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. A notice of assessed demerit points will be issued each time points are assessed against a driver. Demerit points are returned two (2) years after conviction date.

A loss of all ten (10) points within two (2) years will result in automatic suspension.

Appeals

A suspension of driving privileges for loss of all points for offences under the *Motor Vehicle Act* may be appealed to the Registrar of Motor Vehicles if it is the first such suspension in three years.

A suspension of driving privileges as the result of a Criminal Code conviction may be appealed to a Judge of the Court of Queen's Bench if it is the first such suspension in three years.

You may file an appeal to the Registrar or the Courts if the ability to operate a motor vehicle is essential in avoiding the loss of your livelihood. However, the filing of an appeal 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 loss of demerit points for offences under the *Motor Vehicle Act* are for a period of three months.

Criminal Code of Canada offence	First conviction	Second and subsequent conviction
Criminal negligence	12 month suspension of driving privilege	24 months for a second or subsequent conviction within a three year period
Dangerous operation of a motor vehicle	12 month suspension of driving privilege	24 months for a second or subsequent conviction within a three year period
Driving while disqualified	12 month suspension of driving privilege	24 months for a second or subsequent conviction within a three year period
Alcohol or drug-related convictions	12 month suspension of driving privilege	Three years for second conviction in 10 years Five years for a 3rd or subsequent conviction in 10 years
Any other Criminal Code conviction involving the use of a motor vehicle	Six month suspension of driving privilege	12 months for a second or subsequent conviction within a three year period

**SOME EXAMPLES OF
POINT LOSS OFFENCES:**

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) per hour over speed limit

..... **5 points**

For distracted driving

..... **5 points**

For speeding 25 km (15 miles) per hour or less over speed limit

..... **3 points**

Failing to stop for school bus flashing lights

..... **6 points**

Illegal parking in prohibited places

..... **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**

Suspensions for a conviction for failing to stop when requested by a peace officer or continuing to avoid a peace officer who is pursuing them 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 12 months for the first conviction and 24 months for the second or subsequent conviction within three years.

Reinstatement

After the suspension period has lapsed, a licence may be reinstated by the Registrar provided the reinstatement conditions have been met. Depending on the reason for suspension, conditions for reinstatement could include:

- Payment of a reinstatement fee.
- Completion of an impaired driver education course.
- Enrollment in the Ignition Interlock Program.
- Other requirements that will be listed on the suspension notice forwarded to the driver at the time of suspension.

1.7 When a re-examination is required

The Registrar may, at any time, require any driver to be re-examined if there is a question about the driver's physical or mental 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.

The re-examination is similar to the qualifying examination. It is designed to correct and improve 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 retested to see if the medical reason affects their ability to drive.

Doctors, optometrists and nurse practitioners are required by law to report anything that would affect the driving ability of their patient.