

Your Driving Conviction Record

We should start by saying that the best way to manage your driving conviction record is to manage your driving.

Your Driver Abstract

Make sure you are keeping track of your accidents and tickets. If in doubt the following website shows you what the MTO has:

<http://www.mto.gov.on.ca/english/dandv/driver/record.htm>

This is a **3-year snapshot** of a driver's history – available to your insurance company. You can also order a 5 year history which is not available to your insurance company. It does not include Parking Tickets which do not affect your insurance. It does not include accidents (see Accidents section).

Tickets – Moving Violations

When a driver is convicted of a driving offence, demerit points are assigned to the driver (not the car) as per the table attached. The points will remain on the driver record for two (2) years from the date the offence occurred.

When you accumulate 9 or more points – you will be asked into the MTO for an interview. The first time, it is a group session. The second time is a personal session wherein you will be asked to justify keeping your licence. If you do not show up, your licence will be suspended. (See Suspension section.)

When you accumulate 15 points, your drivers licence is suspended for 30 days. If it happens again, the licence is suspended for six (6) months. If you don't pay these tickets, you risk suspension of your drivers licence. (See Suspension section.)

Insurance companies look at the last three (3) years. Insurers calculate this time-frame from the date the offence was posted to the system – not the date the offence occurred. Each insurer has their own "breakpoint". The following is a guide only. Many insurers charge 5% extra for having just one ticket!

Breakpoint	MTO view	Insurance View	Insurance View - Multiple
15 km/hr over limit	0 demerit points	1 ticket against your record for 3 years	OK but 2 more = big \$\$
16-29 km/hr over	3 demerit points for 2 years	1 ticket against your record for 3 years	OK but 2 more = big \$\$
30-45 km/hr over	4 demerit points for 2 years	1 ticket against your record for 3 years	Many co's will charge BIG \$\$
45-49 km/hr over	4 demerit points for 2 years	1 ticket against your record for 3 years	One of these combined with one of above – many insurers will decline = \$\$\$
50 or more km/hr over (just don't do this)	6 demerit points for 2 years	1 ticket against your record for 3 years	Just one of these = declination by most insurers = BIG \$\$\$

"Fighting Tickets"

Some people choose to "fight" a ticket either by going to court or using a service like "ex-copper". If the officer doesn't show up – no ticket on your record. If he does, you can hope to negotiate with the prosecutor. Unless the ticket is expunged from your record (unlikely) – from an insurance point of view – the "fight" process is not worth it UNLESS you are working to move the amount of km/h- over- the- limit from the bottom three categories into the top two categories. Demerit points and ticket dollar amount do not affect the insurance picture – unless your licence is suspended as a result. (See Suspension section.)

Suspension

Your car is not covered if it is being driven by someone whose licence is suspended – for whatever reason.

If your licence has been suspended for any reason in the last six years – you will be declined by many insurance companies. If twice - then most insurance companies will decline.

Criminal and Major Offences

If you have a criminal driving offence, you can expect difficulties getting insurance for seven years. Such offences include Drug/Alcohol Related Offences, Criminal Negligence, and Dangerous Driving. You can expect the same result for three years from offences carrying 5-7 demerit points. (See MTO Demerit Point Guide at end).

A person convicted in Ontario of impaired driving will lose their driver's licence for at least one year. Provincial legislation in Ontario provides for an additional 90 day suspension effective immediately upon arrest for impaired driving.

Your car insurance will not react to any accident involving an impaired driver at your wheel. If you lend your car to someone who drinks and drives – no coverage.

The Wayward Spouse

If your spouse or common-law partner holds a valid driver's licence, insurers will require they be included in your quote - even if they are already listed on another policy for a different vehicle. Your spouse's record could affect your costs!

The Kids

The same goes for licensed kids residing at home.

When a new driver who is on probation accumulates 6 demerit points, the driver's licence is suspended for 30 days. New drivers must complete 2 years of suspension-free driving to end their probationary status.

Approved driver training courses, like Young Drivers of Canada, will save you worry and insurance hassle. Some insurance companies now demand it for new drivers.

As for accidents and how they affect your record, please see our Publication "Vehicles - What exactly is no fault insurance".

We should reiterate here - the best way to manage your driving record is to manage your driving.



MTO Demerit Point Guide - (see MTO website for absolutely current version and details)

7 Points	
Failing to remain at the scene of a collision	Failing to stop when signaled/requested by a police officer
6 Points	
Careless Driving	Racing
Exceeding the speed limit by 50 km/h or more	Failing to stop for a school bus
5 Points	
Driver of a bus failing to stop at an unprotected railway crossing	
4 Points	
Exceeding the speed limit by 30 to 49 km/h	Following too closely
3 Points	
Exceeding the speed limit by 16 to 29 km/h	Driving through, around or under a railway crossing barrier
Failing to yield the right-of-way	Failing to obey a stop sign, traffic light or railway crossing signal
Failing to obey the directions of a police officer	Driving the wrong way on a divided road

Failing to report a collision to a police officer	Improper driving when road is divided into lanes
Crowding the driver's seat	Going the wrong way on a one-way road
Driving or operating a vehicle on a closed road	Crossing a divided road where no proper crossing is provided
Failing to slow and carefully pass a stopped emergency vehicle	Failing to move, where possible, into another lane when passing a stopped emergency vehicle
Improper passing	
2 Points	
Improper opening of a vehicle door	Prohibited turns
Towing people—on toboggans, bicycles, skis, etc.	Failing to obey signs
Failing to stop at a pedestrian crossing	Failing to share the road
Improper right turn	Improper left turn
Failing to signal	Unnecessary slow driving
Reversing on a divided high-speed road	Driver failing to wear a seat belt
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
Failing to lower headlamp beams	Backing on a highway

