

# Coming Into Force of Access Rules for all new Motorcycle Drivers

## Questions and Answers

### Context

The first recommendation made in the [Rapport du comité d'experts sur la sécurité des motocyclistes](#), released in February 2020 by the Minister of Transport, is to implement access conditions based on the state of the driving record for all new motorcycle riders.

This report details all 14 recommendations made by the committee of experts as well as the thinking that led to these various recommendations.

### 1. What are the access rules for riding a motorcycle?

The new motorcycle access rules are designed to restrict access to the most at-risk drivers, particularly because their driving record suggests a propensity to take risks. Applicants with a certain number of demerit points on their driving record will now be denied access to operate a motorcycle upon application for a Class 6R learner's licence.

New conditions to be eligible :

- In the case of a person **already holding** a probationary license or a Class 1, 2, 3, 4A, 4B or 5 driver's licence :
  - have less than 4 demerit points on their driving record
  - have not been subject, for at least 2 year,s to a penalty that revoked their driver's license due to the accumulation of demerit points or a conviction for a criminal offense related to the operation of a motor vehicle
- In the case of a person **who does not hold** a probationary license or a Class 1, 2, 3, 4A, 4B or 5 driver's licence (first license) :
  - have less than 4 demerit points on their driving record
  - not have been subject, for at least 2 years, to a penalty suspending their right to obtain a driver's license due to the accumulation of demerit points or a conviction for a criminal offense related to the operation of a motor vehicle

### 2. When are the new access rules expected to come into effect?

The new access rules for riding a motorcycle come into force on December 17th, 2020.

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3. Do these rules apply to all new applicants wishing to obtain a motorcycle Class or only to those who do not have a Class 5 driver's license?

They concern all new candidates, whether to obtain a first driver's license or to add the motorcycle Class.

4. Are applicants seeking Class 6E for three-wheeled motorcycles or Class 6D for mopeds affected by the new access rules?

No, applicants wishing to obtain a Class 6E or 6D license are not affected by the new access rules as these applicants do not have to obtain a Class 6R learner's permit first. Classes 6E and 6D have different access requirements than other Classes 6 and are therefore not included in the Regulations.

5. Are people who have already held a motorcycle Class and wish to regain it subject to these new rules?

People who have already held a motorcycle Class will only have to retake the 3 exams (knowledge, closed track and on-the-road tests) and will therefore not be subject to these new rules.

6. Why the 4 demerit point threshold?

The maximum number of 4 demerit points on the driving record is consistent with the other access rules for the different Classes since the same conditions already apply to drivers wishing to obtain a Class 1 (all highway vehicles), Class 2 (buses with more than 24 passengers) and Class 3 (trucks) licence as well as the requirements for a probationary license.

7. At what stage of the access process will the driving record of applicants seeking a motorcycle license be verified?

- o At the time of making an appointment for the knowledge test.
- o On the day of the knowledge test appointment.
- o Upon issuance of a Class 6R learner's license. If the client has passed the knowledge test, but must return later and demerit points are added to the driving record in the interim, the client may no longer be eligible if the 4 demerit point threshold is reached.

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8. What happens if a candidate accumulates demerit points between the time the appointment is booked and the day of the knowledge test?

Applicants wishing to obtain a Class 6R learner's license will have their driving record rechecked upon arrival at the service center to ensure that they meet all access rules for this type of license. If an applicant no longer meets the conditions on the day of the knowledge test, he or she will not be able to take the test. They will have to wait for their driving record to improve before they can re-register for an appointment, as it is the case for higher classes.

Candidates who no longer meet the access conditions due to the accumulation of demerit points after their knowledge test appointment has been booked are responsible for cancelling their appointment.

9. Once the Class 6R learner's license is obtained, will the driver record be rechecked as part of the access process?

No. Applicants' driving record is checked only at the time of registration for the knowledge test, which is at the beginning of the access process to obtain a motorcycle license. Once a Class 6R learner's license is obtained, applicants continue the usual access process.

10. Can an applicant enroll in a driving school even if he or she has 4 or more demerit points?

Normally, candidates must pass the knowledge test before registering for the motorcycle training (Road Safety Education Program - Operating a Motorcycle). Once a Class 6R learner's license is obtained, there is no further record check. Therefore, if the learner's license is valid and the applicant has 4 or more demerit points after obtaining their 6R, they will be able to register at a driving school.

11. Will a candidate who failed the knowledge test just before the regulations came into effect be subject to the new rules when rewriting?

Yes, the applicant will be subject to the new rules. He will have to wait until his driving record improves before being eligible to take the knowledge test again.

12. Will there be any transitional measures?

No transitional measures are foreseen. The access rules are applied from the day the regulation comes into force, i.e. from December 17th, 2020.