

## Government proposes random breathalyzer tests

CTV.ca News Staff

**The federal government is considering tough new legislation that would allow police to perform random breathalyzer tests on drivers, whether they suspect the person has been drinking or not.**



The president of Mothers Against Drunk Driving, Margaret Miller, says the changes could save 20,000 lives a year in Canada, citing similar legislation in Australia and Ireland.

Currently, police officers must have reasonable suspicion, such as seeing reckless driving or smelling alcohol on a driver's breath, before administering a breathalyzer. The new legislation would bypass those requirements.

"The real reason (for the law) . . . is to reduce impaired driving. We know that only one in a thousand people out there is apprehended by the police," Conservative MP Rick Norlock said.

The legislation appears to have all-party support, but there are concerns that the law might not survive a court challenge.

David Eby, the executive director of the B.C. Civil Liberties Association, expressed worry about automatic testing from police.

"Canadians generally have a feeling that the Charter of Rights and Freedoms is a good thing, that being free from arbitrary search and detention at the whim of a police officer is a good thing," he said.

And the Canadian Bar Association warns of overcrowding Canada's already crowded courts.

"I think that (this) is a major concern as impaired driving cases right now take up a disproportionate amount of court time (and) they are difficult to prosecute," Eric Gottardi, of the CBA's National Criminal Justice Section, said.

But politicians aren't buying that argument.