



THIS AGREEMENT made the 15th day of April, 2011

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA as represented by the Superintendent of Motor
Vehicles, Ministry of Transportation and Highways

(the "Superintendent")

AND

JACK'S TOWING LTD.
29092 FRASER HIGHWAY
ABBOTSFORD BC V4X 1G8

("Impound Lot Operator")

1. AGREEMENT

The following shall be deemed to form part of and be incorporated into this Agreement:

- (a) Procedures for Impound Lot Operators (the "Procedures");
- (b) Vendor Policies and Procedures Manual (the "Manual") of the Insurance Corporation of British Columbia ("ICBC"); and
- (c) Application for Impound Lot Operator.

2. TERM OF AGREEMENT

This Agreement shall commence on the 15th day of April, 2011 and shall continue in full force and effect for a period of one (1) year. Thereafter, subject to the then current Procedures and Manual, this Agreement shall automatically renew for periods of one (1) year each provided that either party may terminate this Agreement at any time by providing the other party at least thirty (30) days written notice.

Ministry of Public Safety
and Solicitor General

Office of the Superintendent
of Motor Vehicles

PO BOX 6254 STN PROV GOVT
VICTORIA BC V8W 8J2
www.gov.bc.ca

Telephone: (250) 387-7747
Facsimile: (250) 358-6919

(2009/00/16)

3. ASSIGNMENT TO IMPOUND LOT OPERATORS

The Impound Lot Operator may not assign this Agreement without the prior written consent of the Superintendent, which consent may not be unreasonably withheld.

4. CONSENT

The Impound Lot Operator hereby consents to the Superintendent undertaking from time to time, such inspections of the Impound Lot Operator's facility and records, as the Superintendent deems necessary to ensure compliance with this Agreement by the Impound Lot Operator and its Bidders. Further, the Impound Lot Operator agrees to produce invoices and other records as the Superintendent deems necessary to ensure compliance with this Agreement by the Impound Lot Operator and its Bidders.

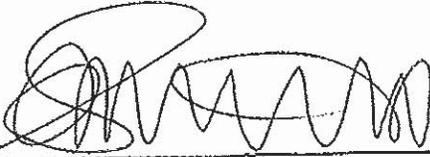
5. FORM OF AGREEMENT

The Superintendent agrees that subject to revisions of general application all Impound Lot Operators will be required to sign similar agreements.

IN WITNESS HEREOF, the parties have executed this Agreement as of the day and year set out below.

SIGNED for and on behalf of Her Majesty the Queen in right of the Province of British Columbia by the Superintendent of Motor Vehicles in the presence of:

P. Macquar
Witness


Superintendent of Motor Vehicles

JACK'S TOWING LTD., Impound Lot Operator

Per: C Lambert

CHERYL LAMBERT, OWNER
Name and Title of Authorized Signatory

April 15, 11
Date



September 20, 2010

Reference No. 388481

Dear Impound Lot Operator (ILO):

Beginning September 20th, 2010, the Vehicle Impoundment Program is changing to provide you with new tools to streamline the impoundment process and to provide you with new options when dealing with abandoned vehicles. I would like to take a moment to highlight some of these changes and what they mean for you and your business.

- **Early Disposal Agreements (MV2729)** are now available for those times when a vehicle owner indicates that they have no intention of claiming their vehicle. If the ILO and the vehicle owner agree and complete the Early Disposal Agreement form, the vehicle owner may transfer ownership of the vehicle to the ILO. The ILO must complete an Early Disposal Statutory Declaration (MV2728), the vehicle must be designated as "Dismantle" on the Tax Transfer Form, and the ILO agrees to discharge the lien on the vehicle. This allows the ILO to remove an abandoned vehicle from the lot prior to the expiry of the impoundment period.
- **No more 90 day impoundments.** Impoundments are now for 3, 7, 30, or 60 days, depending on the number of prior impoundments on the vehicle owner's record and whether the impoundment is for impaired driving or for other impoundable offences. Impoundment durations are measured in "clear days," meaning the day the vehicle is towed does not count towards the impoundment, and that it can only be picked up after the appropriate number of days have passed. However, you may still charge storage for partial days if you wish, and you are not obliged to release vehicles outside of your regular business operating hours (minimum Vehicle Impoundment Program business hours are 8:00 am to 5:00 pm, Monday through Friday).
- **No more 30 day wait time for disposals.** Previously, an ILO had to wait for 30 days following the expiry of the impoundment before applying to dispose of a vehicle. Now, the ILO can apply to dispose of the vehicle as soon as the impoundment ends. The owner must still be given 14 days notice of intent to dispose.
- **\$1000 lien value window for disposals.** Disposal applications will now be approved once the difference between the lien on the vehicle and the estimated value of the vehicle is \$1000 or less.

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- **Date of Disposal Agreements** are private agreements between the ILO and the vehicle owner. The owner pays a deposit amount agreed to by both parties, to count towards the lien on the vehicle. In return, the ILO will not apply to dispose of the vehicle until the date agreed to by both parties.
- **Owner does not need to present a Request for Vehicle Release (MV2711) on 3 or 7 day impoundments.** The owner will still require an Owner's Authorization (MV2712) in order to allow an alternative driver to drive a car off the lot.
- **Personal Property Securities Act search certificate does not need to be submitted.** While a PPSA search is still required before applying for vehicle disposal, ILOs no longer need to submit the certificate when applying to dispose of vehicles.

For your further information, I have enclosed a simple "cheat sheet" summarizing these changes for you and your staff. If you have any questions about the new impoundment process, please do not hesitate to call my staff for assistance at (250) 387-1752.

Yours sincerely,

Steve Martin
Superintendent

Enclosure

**VEHICLE IMPOUNDMENT PROGRAM
CHANGES EFFECTIVE SEPTEMBER 20, 2010**

	Current	New
Reasons for impoundment	Driving while unlicensed Driving while prohibited Street Racing 24 Hour Prohibition	Driving while unlicensed Driving while prohibited Street Racing Stunt Driving Motorcycle Stunts Excessive Speeding Impaired
Who pays for impoundment costs?	Vehicle owner	Vehicle Owner
Disposal before expiry of impoundment period?	No	Yes, if vehicle owner signs vehicle over to towing company. Vehicle may only be sold for parts or scrap.
When may a vehicle be disposed?	30 days after expiry of impoundment, with at least 14 days written notice to owner.	Immediately following expiry period (may be extended if owner places a deposit), with at least 14 days written notice to owner.
Amount lien must reach before disposal approved	Value of vehicle.	Value of vehicle, less \$1000.
Towing companies may accept deposits on vehicles?	No	Yes
Owner must obtain a signed Request for Vehicle Release?	Yes	3 or 7 day impoundments: No 30 or 60 day impoundments: Yes

NEW VEHICLE IMPOUNDMENT LENGTHS (EFFECTIVE SEPTEMBER 20, 2010)

	Current		New		
	1st Offense	2nd Offense +	1st Offense	2nd Offense	3rd Offense +
Driving while unlicensed	30 days	60 days	7 days	30 days	60 days
Driving while prohibited	60 days	90 days	7 days	30 days	60 days
Street racing	2 days	30 days	7 days	30 days	60 days
Stunt driving	N/A	N/A	7 days	30 days	60 days
Excessive speeding	N/A	N/A	7 days	30 days	60 days
Motorcycle infractions	N/A	N/A	7 days	30 days	60 days
Impaired	1 day	1 day	3 days	7 days	30 days



June 18, 2009

Effective March 13, 2009, the *Motor Vehicle Act* Regulations were amended to increase the towing and storage rates that participating Impound Lot Operators are to use for vehicles impounded under the Vehicle Impoundment Program.

REVISED TOWING RATES

Item	Distance and Amounts	Size and Weight Categories		
		Column 2 Up to 3 628 kg/GVW Automobiles, vans, pickups, motorcycles, etc.*	Column 3 3 629 kg to 7 257 kg/GVW Medium duty trucks and trailers, etc.*	Column 4 7 258 kg/GVW and over Heavy trucks and trailers, etc.*
1	Up to 6.0 km	\$78.89	\$92.17	\$153.04
2	6.1 to 16.0 km, Add per km	\$2.90	\$3.45	\$4.31
3	16.1 to 32.0 km, Add per km	\$2.47	\$3.16	\$3.68
4	32.1 km and over, Add per km	\$2.19	\$2.59	\$2.99

*Appropriate size towing vehicle to be used

REVISED STORAGE RATES

The storage rates are as follows.

1. \$19.55 per day for impound lots located within the municipal boundaries of the Greater Vancouver Regional District, the District of Squamish, the City of Chilliwack, the City of Abbotsford, the District of Mission or the City of Victoria, and,
2. \$16.10 per day for impound lots located outside the areas described in 1.

These revised storage rates are applicable to vehicles whose impoundment period under the Vehicle Impoundment Program began on or after March 13, 2009. For vehicles whose impoundment period under the Vehicle Impoundment Program began prior to March 13, 2009, the revised storage rates may be charged for those days in which a vehicle is in storage on or beyond that date.

Vehicle impoundment invoices can be obtained at ICBC Claim Centres.

Should you require any additional information, please contact the Office of the Superintendent of Motor Vehicles at (250) 387-7747.



REQUEST FOR VEHICLE DISPOSAL

DO NOT WRITE ABOVE LINE

NAME OF MOTOR VEHICLE'S REGISTERED OWNER	DATE IMPOUND PERIOD EXPIRED (yyyy/mm/dd)	VEHICLE IMPOUNDMENT NUMBER
NAME OF MOTOR VEHICLE'S REGISTERED OWNER (please complete if more than one registered owner)	REG. (completed by driver/licensing/LOS)	VEHICLE IDENTIFICATION NUMBER

The impounded motor vehicle has remained on the impound lot for at least 30 days since the expiration of the impoundment period. I request the registration of the motor vehicle be transferred to me.

I am submitting the following to the Superintendent of Motor Vehicles:

- A statutory declaration (MV2704) declaring that the amount of the lien exceeds the value of the motor vehicle and a notice was sent to the registered owner of the motor vehicle stating that the motor vehicle will be disposed of if the lien is not paid.
- A certificate issued under the *Personal Property Security Act* showing that no security interest is registered against the motor vehicle under that Act.
- The number plate(s) from the impounded vehicle have been surrendered to a Driver Licensing Point of Service (Driver Service Centre, Government Agent, or Appointed Agent). Please complete the box below.

NUMBER OF PLATES SURRENDERED (check one)	PLATE NUMBER
<input type="checkbox"/> 1	
<input checked="" type="checkbox"/> 2	

OR

- The number plate(s) were not attached to the motor vehicle at the time of the impoundment.

LEGAL NAME OF IMPOUND LOT	DATE (yyyy/mm/dd)
NAME OF IMPOUND LOT REPRESENTATIVE (please print)	SIGNATURE OF IMPOUND LOT REPRESENTATIVE

THE SHADED AREA BELOW MUST BE COMPLETED BY THE IMPOUND LOT REPRESENTATIVE IF THE PLATES ARE BEING RETURNED TO THE IMPOUND LOT OPERATOR. BY COMPLETING THIS SECTION THE REPRESENTATIVE ACKNOWLEDGES RECEIPT OF THE PLATES.

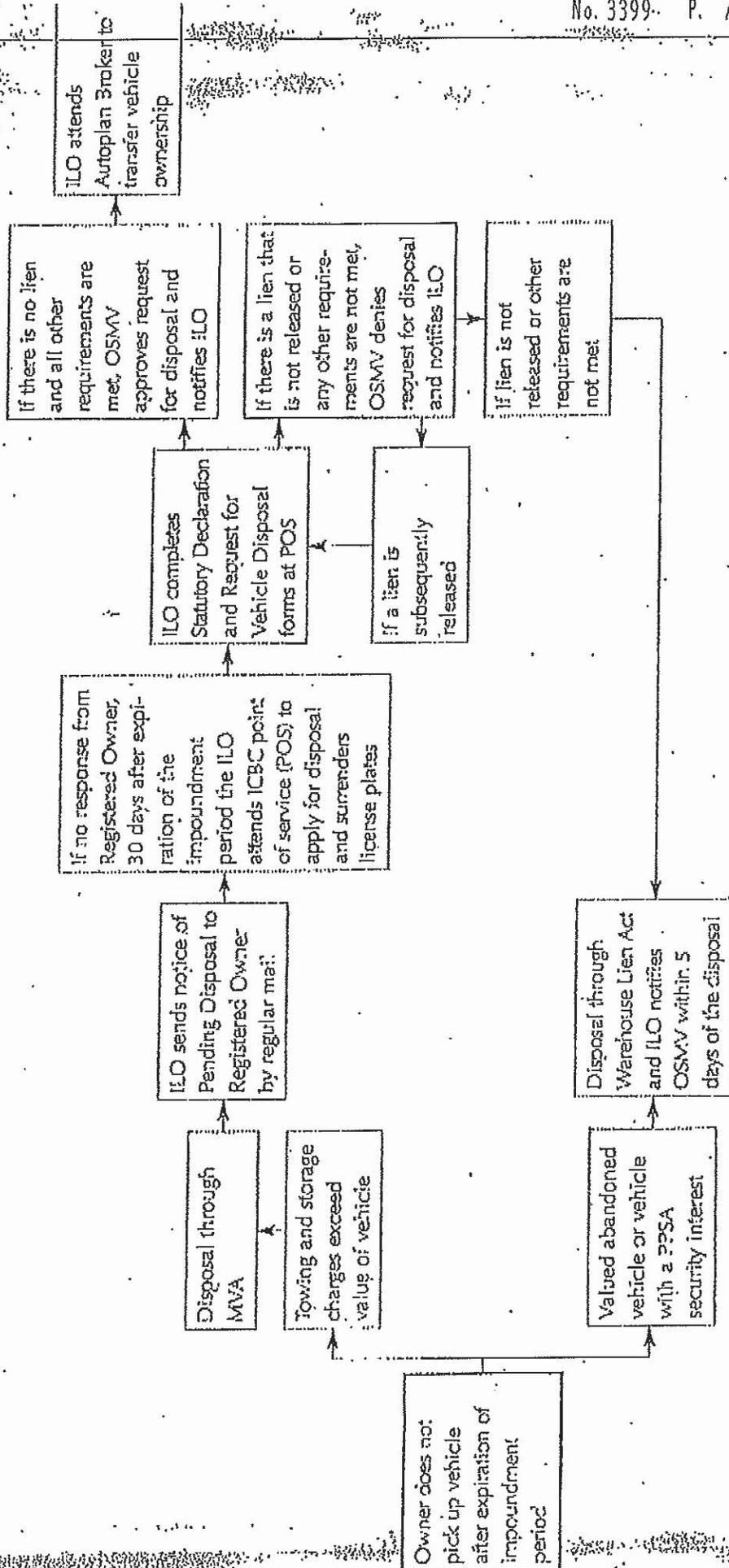
LEGAL NAME OF IMPOUND LOT	DATE PLATES RETURNED (yyyy/mm/dd)
NAME OF IMPOUND LOT REPRESENTATIVE (please print)	SIGNATURE OF IMPOUND LOT REPRESENTATIVE

Courtesy of:



Vehicle Disposal Flow Chart

PL 602 (B) 2007, BR 604 (B) 1756, Unit #1-8980, FASEWOOD COURT, BURLINGHAM VT 05401





**PROCEDURES
FOR
IMPOUND LOT
OPERATORS**
(Version 3)



PROCEDURES FOR IMPOUND LOT OPERATORS
Version 3

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1. GENERAL

The Vehicle Impoundment (VI) program promotes road safety by requiring peace officers to immediately remove street racers and prohibited, suspended, or unlicensed drivers from the road by impounding the vehicle they are operating. Vehicle impoundment places responsibility on the registered owner to ensure that their vehicle is operated only by an individual who holds a valid driver's licence. The VI legislation mandates the following periods of impoundment:

Driver Status	Offence	21 and Under Subsequent Offences (in years)
unlicensed	30 days	60 days
prohibited or suspended	60 days	90 days
street racer	48 hours	30 days

The Office of the Superintendent of Motor Vehicles (OSMV), located in Victoria, maintains an approved list of qualified tow companies referred to as Impound Lot Operators (ILOs).

A registered owner who has had their vehicle impounded as a result of either (1) driving while unlicensed, prohibited, or suspended from driving, or (2) a street racing incident resulting in a 30 day impoundment, may make an application to OSMV for a review of the impoundment. If successful, the registered owner or person authorized by the registered owner will have the vehicle released early. In these cases OSMV will order the vehicle be released.

There are several grounds for review. If the review is successful, the towing and storage charges may, in some cases, be paid by OSMV. Unless the Order of Release MV2713A or MV2713B indicates otherwise, the registered owner or person authorized by the registered owner is responsible for all towing and storage charges.

Vehicles that are reported to a peace officer as stolen may be released early by the peace officer or in some instances OSMV. In these cases the vehicle should not be released without the appropriate order from either a peace officer or OSMV.

For some impounded vehicles there may be third parties with a security interest registered against the vehicle under the Personal Property Security Act (PPSA) who may want the vehicle released. OSMV/ICBC requires secured parties or bailiffs who work on their behalf to obtain authorization from the owner or a court order. Once the secured party or bailiff has obtained authorization from the owner or a court order the secured party or bailiff must attend an Insurance Corporation of British Columbia (ICBC) Driver Services Centre, Government Agent, or Appointed Agent to complete the Request for Vehicle Release MV2711 and Order of Release MV2713A or MV2713B.

Impoundments for 48-hour street racing offences cannot be reviewed by OSMV. The impounded vehicle can only be released early as a result of a decision made by a peace officer. In this case the peace officer will order the vehicle be released.



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1.1. Tow Company Participation In the VI Program

OSMV/ICBC will monitor ILO performance to ensure that ILOs meet and maintain standards under the VI program (see section 9).

1.2. ILO Workload

Peace officers and OSMV/ICBC cannot offer guaranteed workloads or volumes to ILOs in the assignment of vehicle impounds. Factors such as the impound lot location, availability of suitable trucks, and areas of operation by ILOs will affect the selection of an ILO for a given impound.

1.3. OSMV Contacts

General Mailing Address	Office of the Superintendent of Motor Vehicles PO Box 9254 Stn Prov Govt Victoria, BC V8W 9J2
Intake Services	(250) 387-0885
Invoice Payments	(250) 387-4556
Except as noted, all specified program forms will be faxed to OSMV	(250) 356-5910

1.4. Rates for Towing & Storage

Towing and storage rates under the VI program are set out in Division 43.05 of the *Motor Vehicle Act Regulations* whether payable by the registered owner/person authorized by the registered owner or by the Superintendent of Motor Vehicles (the Superintendent). The rates change from time to time and ILOs will be notified directly by OSMV when the rates change.

1.5. Changes to ILO Information

Each ILO is responsible for notifying OSMV of any changes to their information. Please contact OSMV to update this information (see section 1.3).

Some changes may only result in OSMV updating the ILO's file whereas other changes may affect the ILO's ability to participate in the VI program. The following table provides examples of common changes and the corresponding result for the ILO:

Information (Change)	Result
Company/business name	OSMV updates ILO file
Impound lot location	Now lot must be inspected by ICBC and approved by OSMV
Company/business ownership	The original ILO must obtain approval from



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Information Change	Result
	OSMV to assign the existing contractual agreement between the original ILO and the Superintendent to the new ILO
Mailing address, contact telephone, or fax number	OSMV updates ILO file
Status as an IOBC supplier	May result in disqualification from the VI program

2. VEHICLE IMPOUNDMENT

The steps below must be followed in the course of impounding a vehicle under the VI program:

Peace Officer:	<ul style="list-style-type: none"> Issues Notice of Impoundment MV2701 or MV2717 to the driver of a motor vehicle.
Peace Officer Dispatch:	<ul style="list-style-type: none"> Contacts ILO and requests appropriate service at location.
ILO:	<ul style="list-style-type: none"> Ensures a suitable tow truck is on the road within ten minutes of the request and proceeds directly to the vehicle location.
Peace Officer:	<ul style="list-style-type: none"> Provides the tow truck driver with a copy of the Notice of Impoundment MV2701 or MV2717.
Tow Truck Operator:	<ul style="list-style-type: none"> Records the condition of the vehicle, including a description of any damage, and inventories all personal property and removable accessories using the Vehicle Impound Invoice MV2714. Requests that the vehicle driver sign the completed Vehicle Impound Invoice MV2714 and then also signs this same form. If the vehicle driver refuses or is unable to sign, the tow truck operator will note that fact on the form. Provides the pink copy of the Vehicle Impound Invoice MV2714 to the driver and returns the remaining copies to the ILO office. Tows the vehicle to the impound lot via the most direct route.
ILO:	<ul style="list-style-type: none"> Retains the copies of the Vehicle Impound Invoice MV2714 and Notice of Impoundment MV2701 or 2717 on file.
Peace Officer:	<ul style="list-style-type: none"> Faxes OSMV a copy of the Notice of Impoundment MV2701 or MV2717 and supporting documentation

2.1. Impounded Vehicle Is Not to be Moved

Neither the ILO nor the registered owner may move the vehicle to another impound lot during the impoundment period unless directed to do so by the peace officer who impounded the vehicle.



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2.2. Peace Officer Seizure of Impounded Vehicle

A peace officer may, on occasion, be required to seize and remove an impounded vehicle from an ILO for investigative purposes. In this event, the following procedures will apply:

Peace Officer:	<ul style="list-style-type: none"> Presents ILO with warrant or other written request to seize the vehicle
ILO:	<ul style="list-style-type: none"> Records the peace officer's name and badge number on the Vehicle Impound Invoice MV2714. Makes a copy of the warrant or other written request and attaches it to the Vehicle Impound Invoice MV2714.
Peace Officer:	<ul style="list-style-type: none"> Seizes vehicle and arranges removal from ILO storage
ILO:	<ul style="list-style-type: none"> Records the VI number on the copy of the warrant Faxes a copy of the warrant or written request to OSMV at (250) 356-5919

Upon return of the vehicle, the following procedures should be followed:

Peace Officer:	<ul style="list-style-type: none"> Returns vehicle to the ILO <p><i>Note: Any towing and storage costs incurred by the ILO or other towing company relating to the peace officer's seizure and return of vehicle will be paid by the peace officer's law enforcement unit. The ILO will not charge the registered owner or OSMV for any towing or storage costs during the period of police seizure.</i></p>
ILO:	<ul style="list-style-type: none"> Notes on the copy of the warrant that the vehicle has been returned. Faxes a copy of the warrant to OSMV at (250) 356-5919

3. LONGER IMPOUNDS

For registered owners with previous offences within two years, the impoundment period will be increased from 48 hours to 30 days for street racing, from 30 to 60 days for unlicensed and from 60 to 90 days for prohibited or suspended driving occurrences.

OSMV:	<ul style="list-style-type: none"> Notifies the registered owner and faxes the ILO, indicating that the impoundment period is increased. All other conditions of the impoundment remain unchanged.
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4. ACCESS TO VEHICLE

The registered owner or person authorized by the registered owner will be given a reasonable opportunity to retrieve personal possessions that are not attached to or used in connection with the operation of the vehicle. This is at no cost to the registered owner.

Other access may be required by representatives of OSMV, ICBC or by peace officers for a continuing investigation.

Owner, Peace Officer or ICBC:	<ul style="list-style-type: none"> Requests access to the vehicle during normal business hours.
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<p>ILO:</p>	<ul style="list-style-type: none"> • <u>Will only release a vehicle after receipt of a faxed Order of Release MV2713A from OSMV/ICBC, unless it is a 48-hour impoundment for street racing. Note: In the case of a 48-hour impoundment for street racing, the ILO may release the vehicle to the registered owner or the person authorized by the registered owner at least 48 hours after the time and date of the impoundment. The registered owner does not require an Order of Release MV2713A.</u> • Records on the Order of Release MV2713A the name and driver's licence number or other identification of the registered owner or the person authorized by the registered owner. • Sends a copy of the completed Order of Release MV2713A by fax to OSMV at (250) 356-5919. • Records the VI program charges for towing and storage on the Vehicle Impound Invoice MV2714 and provides the registered owner or person authorized by the registered owner with the canary copy. • If the registered owner or person authorized by the registered owner does not claim the vehicle on the date indicated on the Order of Release MV2713A, storage charges will continue to accrue at the prescribed rate.
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6. EARLY RELEASE OF VEHICLE

Under certain circumstances the Superintendent or a peace officer may authorize early release of the vehicle. Depending on the reason for release, either the registered owner/person authorized by the registered owner or the Superintendent will pay for the towing and storage charges. The following procedures should be followed:

<p>OSMV:</p>	<ul style="list-style-type: none"> • Sends Order of Release MV2713A or MV2713B by fax to ILO. • Order of Release MV2713A or MV2713B indicates whether the registered owner/person authorized by the registered owner or the Superintendent will pay for towing and storage charges. • Where the Superintendent is paying all or part of the towing and storage charges (indicated on the Order of Release MV2713B) refer to section 7.
<p>Peace Officer</p>	<ul style="list-style-type: none"> • A peace officer may order a vehicle be released if they: <ul style="list-style-type: none"> • withdraw a 48-hour impoundment prior to its expiry; or • are satisfied that the impounded vehicle is stolen property • In the case of withdrawal of a 48-hour impoundment the peace officer will instruct the ILO to release the vehicle and the registered owner or person authorized by the registered owner will be responsible for all towing and storage charges. • In the case of a stolen vehicle the peace officer will complete Order of Release MV2715 and notify the ILO and the OSMV by fax. The Superintendent will pay for towing and storage charges.



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<p>ILO:</p>	<ul style="list-style-type: none"> • <u>Will only release a vehicle after receipt of a faxed Order of Release MV2713A or MV2713B from OSMV/ICBO or a Vehicle Impoundment Peace Office Order of Release of a Stolen Vehicle MV2715, unless it is a 48-hour impoundment for street racing.</u> • <u>Records on the Order of Release MV2713A or MV2713B the name and driver's licence number or other identification of the registered owner or the person authorized by the registered owner.</u> • <u>Sends a copy of the completed Order of Release MV2713A or MV2713B by fax to OSMV at (250) 356-5919.</u> • <u>Where the Superintendent is paying all or part of the towing and storage charges (indicated on the Order of Release MV2713B) refer to section 7.</u> • <u>Records the VI program charges for towing and storage on the Vehicle Impound Invoice MV2714 and provides the registered owner or person authorized by the registered owner with the canary copy.</u> • <u>If the registered owner or person authorized by the registered owner does not claim the vehicle on the date indicated on the Order of Release MV2713A or MV2713B, storage charges will continue to accrue at the prescribed rate.</u>
<p>NOTE: If the registered owner or person authorized by the registered owner does not claim the vehicle on the date indicated on the Order of Release MV2713A or MV2713B and that Order indicates OSMV will pay for the towing and storage charges, the vehicle owner will be responsible for additional storage charges as outlined in section 7.</p>	

7. INVOICING OSMV

Under certain circumstances the Superintendent must pay for all or part of the towing and storage charges during an impoundment. The ILO will be reimbursed as follows:

<p>OSMV:</p>	<ul style="list-style-type: none"> • Sends Order of Release MV2713B by fax to ILO. • Order of Release MV2713B indicates the part of the towing and storage charges that the Superintendent will pay (located at the bottom of the Order of Release). • Where the Superintendent is paying all or part of the towing and storage charges; charges will be covered up to the end of the business day of the authorized date of release. If the registered owner or person authorized by the registered owner is unable to collect the vehicle on the day of release, the Superintendent will authorize payment of storage charges for one additional day. Beyond that date, the registered owner or person authorized by the registered owner is responsible for further storage charges.
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<p>ILO:</p>	<ul style="list-style-type: none"> • <u>Completes the Vehicle Impound Invoice MV2714 clearly showing VI number, towing, distance towed and storage charges.</u> • <u>Inserts the ICBG Supplier Number in the right side of the box labelled Impound Lot Information.</u> • <u>Mails the completed Vehicle Impound Invoice MV2714 and completed Order of Release MV2713B to:</u> Manager, Managemont Services Office of the Superintendent of Motor Vehicles PO Box 9254 Stn Prov Govt Victoria, B.C. V8W 9J2
<p>OSMV</p>	<p>Reviews the invoiced amount and, if confirmed, authorizes payment to ILO. Please allow 4 -6 weeks for refund.</p>

8. DISPOSAL OF UNCLAIMED VEHICLE

An impounded vehicle that is not claimed by the owner after the expiration of the impoundment period shall only be disposed of in one of the following two ways: (1) transfer of ownership under the conditions of the Warehouse Lien Act or (2) authorization by the Superintendent under the Motor Vehicle Act. OSMV shall be notified, in writing, of all disposals of impounded vehicles. The detailed requirements and procedures are set out in the Motor Vehicle Act and are summarized below.

8.1. Motor Vehicle Act Disposal

Thirty (30) days after the expiration of the impoundment period, the ILO may apply to transfer the registration of the vehicle to themselves provided:

- ◊ there is no security interest registered against the motor vehicle under the *Personal Property Security Act* (PPSA), and
- ◊ the amount of the ILO's lien on the motor vehicle exceeds the ILO's estimate of the value of the motor vehicle



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<p>ILO:</p>	<ul style="list-style-type: none"> • After the expiration of the impoundment period and at least 14 days prior to making an application for disposal, notifies the registered owner, by ordinary mail, of the intent to dispose of the vehicle if the outstanding charges are not paid. The letter must identify the vehicle impound number, vehicle identification number, vehicle licence plate number, registered owner name(s), address, date of impoundment and amount of the outstanding charges at the time of notification. • OSMV will conduct a review of the value of the vehicle using the wholesale price listed for British Columbia in the Gold Book. OSMV may request a written explanation if there is a dispute in the value of the vehicle. • At least 14 days after sending the notice of intention to dispose of the vehicle the ILO completes a Statutory Declaration Vehicle Disposal MV2704 indicating the amount of the lien, details of the vehicle, and estimated value of the vehicle. • At least 30 days after the expiration of the impoundment period completes a Request for Vehicle Disposal MV2709. <u>Note: ICBC/OSMV is not able to accept a Request for Vehicle Disposal MV2709 prior to 30 days after the expiration of the impoundment period.</u> • Presents the completed Statutory Declaration Vehicle Disposal MV2704 and Request for Vehicle Disposal MV2709 <u>and any number plates that were attached to the vehicle</u> to a Driver Services Centre, Government Agent or Appointed Agent. The Statutory Declaration Vehicle Disposal MV2704 will be sworn at this office, and forwarded to OSMV for processing. The original Statutory Declaration Vehicle Disposal MV2704 will be returned to the ILO. • ILO representative making the Statutory Declaration Vehicle Disposal MV2704 will be required to provide a current driver's licence as proof of identification. • <u>Note: Statutory Declaration Vehicle Disposal MV2704 and Request for Vehicle Disposal MV2709 are available at Driver Services Centres, Government Agents and Appointed Agents and must be submitted in their original format. Altered forms will not be accepted.</u>
<p>Driver Services Centre, Government Agent, or Appointed Agent:</p>	<ul style="list-style-type: none"> • Provides required forms. • Swears Statutory Declaration Vehicle Disposal MV2704 (original returned to ILO). • Forwards Statutory Declaration Vehicle Disposal MV2704 and Request for Vehicle Disposal MV2709 to OSMV by fax to (250) 356-5919. • Forwards any numbered plates and a copy of the Request for Vehicle Disposal MV2709 to ICBC Revenue Stock using the plate disposal envelopes (INV21 or INV22).



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<p>OSMV:</p>	<ul style="list-style-type: none"> • Does a PPSA search and obtains a certificate showing that no security interest is registered against the motor vehicle under that Act. If a security interest exists the ILO may not dispose of the vehicle under this procedure (see section 8.2). • Reviews the Request for Vehicle Disposal MV2709 and issues a Vehicle Disposal Decision to the ILO by fax within two business days of the date of that request. • If the Request for Vehicle Disposal MV2709 is denied, OSMV directs the ILO to return 5 business days from the date of the Vehicle Disposal Decision to the Driver Services Centre, the Government Agent, or the Appointed Agent to retrieve the surrendered plates. • If the Request for Vehicle Disposal MV2709 is approved, OSMV directs the ILO to attend at an Autoplan broker to transfer the vehicle ownership. • Informs ICBC Revenue Stock via email of the Vehicle Disposal Decision.
<p>ICBC:</p>	<ul style="list-style-type: none"> • If the Request for Vehicle Disposal MV2709 is approved, ICBC: <ul style="list-style-type: none"> • Cancels any vehicle licence issued with respect to the vehicle. • Forwards any refund from the cancellation of the vehicle licence to the previous registered owner • Destroys the surrendered plates • Upon application by the ILO at an Autoplan broker, will transfer the registration of the vehicle to the ILO. • If the Request for Vehicle Disposal MV2709 is denied, ICBC: <ul style="list-style-type: none"> • Returns the surrendered plates to the Driver Services Centre, Government Agent, or Appointed Agent for pick-up by the ILO after 5 business days from the date of the Vehicle Disposal Decision.
<p>ILO:</p>	<ul style="list-style-type: none"> • <i>If the Request for Vehicle Disposal MV2709 is approved, the ILO must take the Vehicle Decision Letter together with the original Statutory Declaration (MV2704), a completed Transfer/Tax form (APV9T), and vehicle registration, to an Autoplan broker.</i> • <i>If the Request for Vehicle Disposal MV2709 is denied, the ILO must return to the Driver Services Centre, Government Agent, or Appointed Agent to retrieve the licence plates after five business days from the date on the Vehicle Disposal Decision</i>

8.2. Warehouse Lien Act Disposal

Vehicles that have a security interest registered against them under the PPSA can only be disposed of under the *Warehouse Lien Act*. The Superintendent will not authorize disposal of a vehicle with an existing lien. Upon disposal under the terms of the *Warehouse Lien Act* the ILO will notify OSMV, by faxing or mailing to OSMV (refer to OSMV Contacts section 1.3) a completed and notarized Declaration of Seizure of a Vehicle under the



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Warehouse Lien Act MV1481 and a copy of the Vehicle Registration APV250, together with the VI number, vehicle identification number, and vehicle make and year, within 5 days of the disposal transaction.

8.3. Release of Valued Abandoned Vehicles

Valued abandoned vehicles are vehicles that have been left at impound lots by the registered owners but are worth more than the amount of the ILO's lien under section 104.5(2) or 105.4(2) of the *Motor Vehicle Act*. These vehicles may be owned outright by the registered owner, may have a security interest registered against them under the PPSA, or may be leased by the owner. OSMV will not authorize disposal of a vehicle where the value of the vehicle exceeds the lien. In these circumstances the ILO may dispose of the vehicle under the *Warehouse Lien Act*.

8.3.1. Release of Valued Abandoned Vehicles to Lien Holders

Bailiffs acting for third parties with a security interest registered against the vehicle under the PPSA have no jurisdiction to seize vehicles impounded and/or abandoned under the VI program unless they have authorization from the registered owner or a court order and they obtain a release from OSMV or ICBC. The party with the security interest is responsible for all towing and storage costs.

9. ILO QUALIFICATION STANDARDS

9.1. Qualifications

As necessary, OSMV will review existing ILO agreements and consider new entrants to the program.

9.2. Mandatory Requirements

Upon application to the VI program, OSMV/ICBC will qualify the company's ability to meet these standards. At all times while participating in the VI program, the ILO will be required to maintain these standards and may be subject to performance audits by OSMV representatives or ICBC representatives from time to time. An agreement, specific to this program, will be required to be entered into between each qualified ILO and the Superintendent.

The ILO must maintain the standards set out in this section 9.2 during the term of that agreement. Further, the Superintendent may assign that agreement to ICBC at any time during the term of the agreement. Upon such assignment all references in these procedures to OSMV or the Superintendent shall automatically become references to ICBC.

9.2.1. Business Qualifications

- Impound lots, records and tow vehicles must be maintained in accordance with program requirements contained in this document and will be available for inspection by OSMV/ICBC or law enforcement representatives.
- Minimum business hours are: office: 8am to 5pm, Monday to Friday; dispatch and towing: 24 hours, seven days per week.
- Maintain a valid ICBC Garage Policy with comprehensive coverage and a valid business licence issued by a municipality applicable to the business of towing and storing vehicles, or a valid Land Use contract.
- A valid ICBC Supplier number.
- A towing dispatch service must provide two-way communications with all tow trucks at all times.



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- A fax machine which must be capable of unattended and continuous operation.

9.2.2. Tow truck requirements

The tow company must have tow trucks available to the program that comply with the following standards:

- All tow trucks must be licensed and insured to operate in BC as a tow car, tow truck, wrecker, recovery vehicle or flat deck.
- ILOs will ensure that any lease operators have the ILO National Safety Code number recorded on vehicle registrations.
- Tow trucks will meet all Provincial and Federal vehicle mechanical, safety and licensing standards.

9.2.3. Impound Lot

The impound lots must meet the following minimum standards:

- Secure storage for all types of vehicles, including some space for vehicles up to a maximum of 45 ft in length.
- The lot shall consist of an asphalt surface or other well graded and drained surface condition.
- The impound lot must have a minimum six foot chain link fence, or equivalent, around the perimeter plus a 12" barbed wire overhang and a locking gate of matching height. The fence, overhang and gate shall be maintained in a good state of repair at all times.
- Impounded vehicles shall not be stored in the same area as vehicles under repair, being dismantled for parts or other similar activities.
- Access to impounded vehicles will be strictly controlled and at no time will unaccompanied vehicle owners or public access be permitted. Please refer to section 4, Access to Vehicle.

9.2.4. Service Levels

The ILO must dispatch a suitable tow truck and commence travel directly to the indicated location within 10 minutes of initial request from the police.

9.2.5. Administrative

All equipment and services specified in this program are the responsibility of the ILO. ILOs must adhere to all administrative requirements of the VI program including, without limitation,

- Maintain all records required by the Motor Vehicle Act or other legislation.
- Collect towing and storage charges from vehicle owners only in accordance with the prescribed rates as set out in the regulations.
- Maintain VI program forms described in section 10 below and program records at the normal ILO business office for a period of at least twelve months from the date of vehicle impoundment or until the vehicle is disposed of.

9.2.6. Disqualification or Withdrawal from the VI Program

At any time an ILO may be disqualified for failure to adhere to the program standards. Notice will be given in writing and the agreement may be terminated.



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Either party may withdraw from the agreement by giving thirty days notice in writing. If either party withdraws, any impounded vehicles remaining in storage will remain impounded under all original program terms, conditions and rates until such time as the vehicles are released to the owners or are disposed of in the prescribed manner.

10. PROGRAM FORMS

The required program form (Vehicle Impound Invoice MV2714) is available at each ICBC Claims Centre. The following forms may be used in the program by peace officers, OSMV, ICBC and ILOs and are listed for reference purposes. The Superintendent reserves the right to add to or delete from this list.

10.1. Notice Of Impoundment MV2701

Issued by the peace officer to the offending driver with a copy provided to the tow truck operator.

10.2. Notice of Impoundment – Section 244 (MVA) MV2717

Issued by the peace officer to a driver involved in a street race with a copy provided to the tow truck operator. The VI number for these forms starts with "99".

10.3. Vehicle Impound Invoice MV2714

Completed by the tow operator with a copy provided to the impounded vehicle driver at the time of impoundment. The form describes the vehicle and equipment condition at the time of impoundment as well as the non-attached personal possessions remaining in the vehicle.

10.4. Fax Cover Sheet to Increase Impoundment Periods

Issued by the OSMV, by fax, to notify the ILO that the impoundment period has been increased from 30 to 60 days or from 60 to 90 days.

10.5. Order Of Release MV2713A

Issued by the OSMV, by fax, to notify the ILO that a vehicle is to be released subject to payment of towing and storage charges by a registered owner or person authorized by the registered owner.

10.6. Order of Release MV2713B

Issued by the OSMV by fax to notify the ILO that a vehicle is to be released, and who it should be released to. It will indicate whether the Superintendent or the authorized person retrieving the vehicle will pay towing and storage charges.

10.7. Vehicle Impoundment Peace Officer Order of Release of a Stolen Vehicle MV2715

Completed by a peace officer if satisfied the impounded vehicle is stolen property.

10.8. Request for Vehicle Disposal MV2709

Completed by the ILO to request authorization from the OSMV to dispose/transfer the vehicle.

10.9. Statutory Declaration for Vehicle Disposal MV2704

Declaration by the ILO that they have attempted to contact the registered owner, are accurately assessing the value of the vehicle, and that outstanding charges exceed the estimated value of the impounded vehicle.



IMPOUND LOT OPERATOR APPLICATION AND INFORMATION UPDATE

Please provide your company information and return the completed form by fax or mail. If you have more than one impound lot, complete a separate form for each one. Please print below the captions.

Full LEGAL Name (dba or trade name is not acceptable): JACK'S TOWING LTD.		Business Name (if different from legal name): JACK'S TOWING LTD.	
Business Office Address (include postal code): 29092 FRASER HIGHWAY ABBOTSFORD, BC V4X 1G8		ICBC Vendor Number: A147324	National Safety Code (NSC): 063604200
Signing Authority: JILL DOWSE		Business Licence: 2010138312	Business Hours: MON-FRI 9-5
Principal Contact (if different from signing authority):		List local enforcement agencies	Phone Fax
		ABBOTSFORD POLICE DEPARTMENT	604-859-5225 604-859-4812
		RCMP HIGHWAY PATROL	Fraser Valley Chilliwack. ph (604) 792-4511 Fax (604)
Dispatch Office Phone Number (Available Mon - Fri 24/7): 604-607-0772	Office Phone Number (if different):	Size of Vehicle you can tow (yes/no)? Up to 3,629 Kgs/OVW: YES	
Dedicated Fax Number (Available Mon - Fri 24/7): 604-607-0773		3,629 Kgs to 11,811 Kgs/OVW: YES	
<input checked="" type="checkbox"/> Limited Company <input type="checkbox"/> Proprietorship <input type="checkbox"/> Partnership		11,812 Kgs/OVW and over: YES	
Impound Lot Address (include postal code): 29092 FRASER HIGHWAY ABBOTSFORD, BC V4X 1G8		Impound Lots Have: Fully fenced lot (minimum 72" chain link + 12" wire overhang): YES	
Type of Dispatch/Communication System (e.g. cell phone, dedicated 2 way radio, CB radio, etc.): CELL PHONE		Restricted public access to vehicles stored under this program (minimum: no unsecured public access): YES	
Signing Authority Signature: <i>Jill Dowse</i>		Electronic Security Systems: YES	
Print Signing Authority Full Name: JILL DOWSE		Exterior Lighting: YES	
Date (yyyy/mm/dd): APRIL 4/11		Zoned for Vehicle Storage: YES	

Ministry of Public Safety and Solicitor General
OSMV-VIP-1001 (2009/08/13)

Office of the Superintendent of Motor Vehicles

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Victoria BC V8W 9J2

Telephone: (250) 367-7747
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