

Wilkinson, Anita JAG:EX

From: Esposito, Tony JAG:EX
Sent: Tuesday, January 28, 2014 11:53 AM
To: Burchnall, Shelly K JAG:EX; MacLeod, Sam JAG:EX; Roberts, Steven JAG:EX; Chapman, Kathryn JAG:EX
Cc: Anderson, Kathy E JAG:EX; s.15 JAG:EX s.15 JAG:EX; s.15 JAG:EX; Handgraaf, Harjeet JAG:EX
Subject: FW: *REASONS FOR JUDGMENT* VA S130019 -Justice Dardi -Re: Ricard v. The Superintendent of Motor Vehicles
Attachments: Judge Dardi, re Ricard v. The Superintendent of Motor Vehicles, 1-28.pdf

Please see the attached decision from the Supreme Court of BC.

Justice Dardi determined that

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Justice Dardi concluded that

s.14

s.14

Tony Esposito
Manager of Adjudication
Office of the Superintendent of Motor Vehicles
Telephone: 250-387-2859
Fax: 250-356-6544
Email: Tony.Esposito@gov.bc.ca

s.14

Pages 2 through 13 redacted for the following reasons:

s.14

Wilkinson, Anita JAG:EX

From: Esposito, Tony JAG:EX
Sent: Monday, February 3, 2014 1:43 PM
To: Handraaf, Harieet JAG:EX
Cc: s.15 JAG:EX
Subject:

Attachments: s.14

Pages 15 through 75 redacted for the following reasons:

s.14

s.14, s.15, s.16, s.22

s.14, s.15, s.16, s.22i

s.14, s.16, s.22

s.14, s.22

s.15, s.16, s.22

Wilkinson, Anita JAG:EX

From: Esposito, Tony JAG:EX
Sent: Tuesday, April 29, 2014 8:53 AM
To: Handgraaf, Harjeet JAG:EX; Easton, Tabitha JAG:EX; s.15 JAG:EX
Cc: Anderson, Kathy E JAG:EX; Burchnall, Shelly K JAG:EX
Subject:

Attachments: s.14

Pages 77 through 190 redacted for the following reasons:

s.14

s.14, s.15

s.14, s.15, s.16

s.14, s.15, s.16, s.22

s.14, s.15, s.22

s.14, s.16

s.14, s.16, s.22

s.14, s.22

s.14, s.16, s.22

s.3

Wilkinson, Anita JAG:EX

From: Esposito, Tony JAG:EX
Sent: Friday, December 27, 2013 10:36 AM
To: 'Schultz, Angela'
Cc: Anderson, Kathy E JAG:EX; _s.15 JAG:EX; Burchnall, Shelly K JAG:EX
Subject: DIP Action on 24 hour prohibitions when a related ADP is revoked
Attachments: Procedure.pdf

Hi Angela,

Following our discussion with your office, the OSMV has implemented a policy whereby the OSMV will advise ICBC in every case where:

- An ADP is revoked because it was determined that the driver was not operating or had care or control of a motor vehicle and,
- A 24 hour prohibition related to the same event remains on the driver's record.

In accordance with our agreement with your office, no further action should be taken against a driver in these circumstances.

Please see the attached document for further information.

Kind Regards,

Tony Esposito
Manager of Adjudication
Office of the Superintendent of Motor Vehicles
Telephone: 250-387-2859
Fax: 250-356-6544
Email: Tony.Esposito@gov.bc.ca

ADP revoke procedure where ADP and 24-Hr issued at the same time

1. Write successful review decision
2. Update ADP/VI
3. If ADP is revoked because the driver didn't drive or have care or control of a motor vehicle:
 - Check the DRIVERS system to determine whether a 24 Hr Notice of Prohibition was also issued for the same event

If it was:

- Send an email to ICBC at osmvupdates@icbc.com advising that the ADP review for the driver was successful, and that a 24-Hr Notice of Prohibition was also issued at the same time
- Indicate the ADP number, driver's licence number, driver name, and date of event in your email

EXAMPLE EMAIL:

DL 1234567
ADP00-000000
Driver Name
Date of Event – October 15, 2014

This is to advise that the ADP for this driver was successful as the driver didn't meet the definition of driver under the MVA, and that a 24-Hr was also issued at the same time.

Wilkinson, Anita JAG:EX

From: Handgraaf, Harjeet JAG:EX
Sent: Friday, January 31, 2014 10:01 AM
To: Simpson, Linda M JAG:EX; Simons, Nina JAG:EX
Cc: Esposito, Tony JAG:EX; Anderson, Kathy E JAG:EX
Subject: Sample - 2nd. request Letter to CORE Member.docx

Good morning ladies!

I have saved a sample copy of this letter in W:/Appeals Registry/Murray as per our discussion this morning. If you have any questions or concerns please come see me.



Sample - 2nd.
request Letter t...

Arnie Handgraaf
Team Lead, AJDFI Appeals Registry
Administrative Justice, Driver Fitness and Intervention Branch
The Office of the Superintendent of Motor Vehicles | Ministry of Justice
phone-250 356-0599 fax- 250 356-6544
e-mail: Harjeet.Handgraaf@gov.bc.ca

Pages 194 through 195 redacted for the following reasons:

s.14