

### Police Supplemental to File Report

If the officer needs to correct an error made on IRP, VI, UL, 24 hour prohibition or ADP documents they have been asked to make the correction on a Police Supplemental to File Report and fax it to the fax server. The MOC team will link the document to the file and print off a copy to be given to the appeals registry to deal with.

1. Check ADP/VI system to see if report and any attachments have been linked. If not send to fax server. Even though report may indicate IRP and VI link you may not need to link it to both.
2. Read contents of supplemental report and determine if any changes are required to the ADP/VI system. **The majority do not require any changes to be made.**
3. NOTE: if you receive a report for a 24 hour prohibition (215) check the DL to see if there's a review in progress and if so put it in the 24 hour tray for the person working on 24 hours to deal with. If not under review put the report in the file folder delegated for these report located in the file cabinet for 24 hour reviews.
4. If no action required add comments on the system- example: 'Police supplemental report received – no action required.
5. If an amendment is required make the change needed. If you make a change note action in your comments - example: 'Police supplemental report received – action required as such...etc.
6. Check the review tab and if review has been scheduled and not yet conducted ensure the person that has the file is aware there is a police supplemental report and will need to include it as disclosure to the client.
7. If the review date has passed and a decision hasn't been made yet advise the adjudicator because it will need to be dealt with and disclosed to the client. You will need to make these arrangements with the adjudicator.
8. If a review decision has been made before we were aware of the police supplemental report be sure the information does not affect the review. If you think it might refer the file to Team Lead.
9. Discard report in recycle.

## ADP/IRP Appeals

The ADP/IRP Appeals procedure covers the following tasks:

- To process received ADP/IRP appeals
- To close off review bookings
- To process no DL seized by police
- To assign ADP/IRP reviews to adjudicators
- To process cancellations
- Provide disclosure to counsel

### To process received ADP/IRP appeals

1. Get ADP/IRP appeals from the ADP VI black in-tray or applications will be given to you as they are faxed in from the Driver Licencing Centres.
2. In ADP VI, **Reports**, select **ADP/VI Review Schedule** and press **OK**.
3. From the **Review Center** pull down list, select **OSMV – ADP Review**.
4. Enter the date you're processing.

Review Centre	From Date	To Date	Review Application Type	Review Type	Date/Time	Contact Name	Contact	DL #
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**Note:** Once the report is printed and if there is an unlicensed review scheduled with the prefix 30, advise one of the members of the VI team of this review. The VI member will be responsible for processing the file and will advise you of the Adjudicator assigned to conduct the review. Refer to Procedure: Unlicensed Prohibition Appeals, "To assign UL reviews to adjudicators."

5. Press the **Run** button.

ADP/VI Reports

Review Centre: OSIV - ADP Review From Date: 2010-01-07 To Date: 2010-01-07 Run

### ADMINISTRATIVE DRIVING PROHIBITION (ADP) / VEHICLE IMPOUNDMENT (VI) REVIEW SCHEDULE REPORT

Review Centre: OSIV - ADP Review From Date: 2010-01-07 To Date: 2010-01-07

Review Application Type	ADP/VI #	Review Type	Date/Time	Contact Name	Contact #	DL #
ADP/IRP/Unlicensed	05-399662	ORAL	2010/01/07 09:00			s.22
ADP/IRP/Unlicensed	20-171943	WRITTEN	09:30			s.22
ADP/IRP/Unlicensed	04-333582	WRITTEN	09:30	Lawyer: Randle Howarth	(504) 852-5540 33891	
ADP/IRP/Unlicensed	20-173851	WRITTEN	09:30			s.22
ADP/IRP/Unlicensed	20-279153	WRITTEN	09:30	Lawyer: Mike Fortin	(504) 595-5690 79545	
ADP/IRP/Unlicensed	00-311273	WRITTEN	09:30	Lawyer: Paul Pearson	(250) 486-4040 83254	
ADP/IRP/Unlicensed	20-198207	WRITTEN	09:30			s.22
ADP/IRP/Unlicensed	20-141242	WRITTEN	09:30	Lawyer: Richard Hecox	(204) 555-8930 43875	
ADP/IRP/Unlicensed	00-327309	WRITTEN	09:30			s.22
ADP/IRP/Unlicensed	20-193754	ORAL	10:30	Lawyer: David Albert	(504) 590-5890 56977	

Preview... Print Setup... Print OK Cancel Help

6. Print the screen and press **Cancel, Cancel**.
7. In ADP VI, press **ADP**.
8. If ADP, enter the ADP# without zeros. If IRP, enter the IRP# beginning with "21" (do not include the hyphen or the last greyed out number).

ADP Database Search

Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

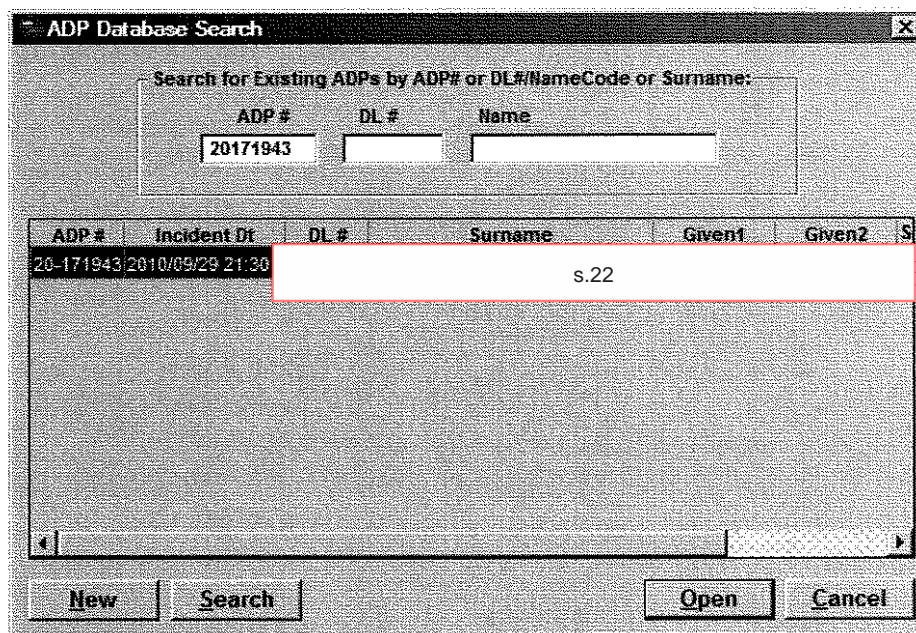
ADP #	DL #	Name
20171943		

ADP #	Incident Dt	DL #	Surname	Given1	Given2	S

New Search Open Cancel

9. Press **Enter**.





ADP Database Search

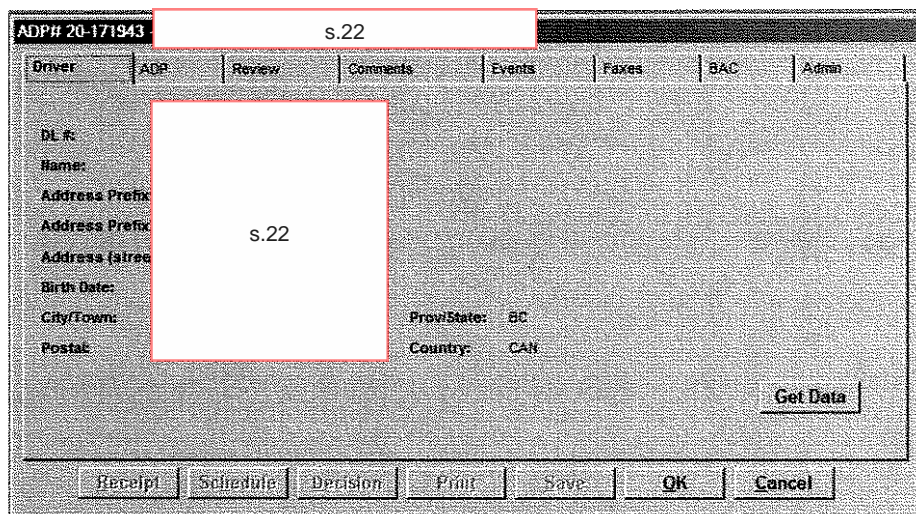
Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

ADP # 20171943 DL # Name

ADP #	Incident Dt	DL #	Surname	Given1	Given2	S
20-171943	2010/09/29 21:30		s.22			

New Search Open Cancel

10. Press **Open**.



ADP# 20-171943 s.22

Driver ADP Review Comments Events Faxes BAC Admin

DL #:  
Name:  
Address Prefix:  
Address Prefix:  
Address (street):  
Birth Date:  
City/Town:  
Postal:

Prov/State: BC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

11. Press the **Faxes** tab.

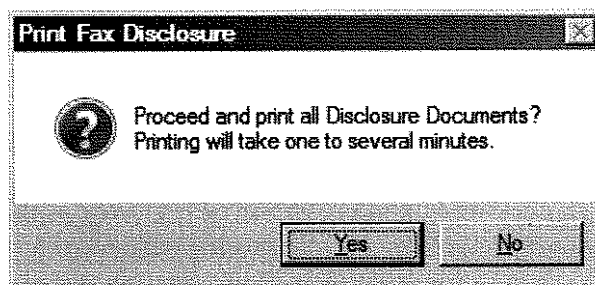
ADP# 20-171943 s.22

Fax Id:	Date:	Disclosure:	Description:
MV2702AA	2010/09/20	Yes	Attachments
MV2702AA	2010/10/01	Yes	Attachments
MV2723	2010/09/30	Yes	Notice of Prohibition IRP
MV2723	2010/10/01	Yes	Notice of Prohibition IRP
MV2724	2010/09/30	Yes	Report to Superintendent IRP
MV2728	2010/10/01	No	Application For Review IRP

Modify Move Print Single Print All View

Receipt Schedule Decision Print Save OK Cancel

12. If there are documents - Press **Print All** button.



13. Press **Yes**. The faxes will print.
14. Press the **ADP** tab and look to see how long the prohibition term is in order to get the corresponding file folder colour.
15. Prepare file folder:
- red = ADP
  - purple = 3, 7, 30-day IRP
  - green = 90-day IRP)
16. Staple the ADP or IRP appropriate *ADJUDICATOR WORKSHEET* which is located at **W:\Appeal Registry\ADPVI\Scheduling Forms & adpVi checklists** to the front cover. Write the ADP/IRP # and service date on the file tab.
17. Fill in the adjudicator worksheet with the review date and time, prohibition effective date, driver's last name, name of counsel (if any), and your name. Check the box for the type of review requested.
18. In the section **DECISION MUST BE SENT BY** for an ADP enter the prohibition effective date.. For IRP reviews calculate the date the decision must be sent by – 21 days past the service date. Go to: **W:\Appeal Registry\ADPVI\IRP Calculator**. (if it falls on a weekend enter the Friday before date).
19. For IRP add **status code 0IRPR** in the Driver's system under **XS** indicating the effective date as the service date of the IRP with a one month review date.

24/01/11 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: s.22 CANCELLED NAME: s.22

MASTER STATUS: PENDING EFF DATE: 14JAN2011

DRID, DITION: 3 & 1 FILE REF:

TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:

0 MASTER EXPANDED	EFFECT	REVIEW	STAT
0 STATUS STATUS	DATE	DATE	CODE
3 NORMAL REVIEW OF IRP IN PROGRESS	14JAN2011	14FEB2011	01RPR
3 NORMAL 2 YR SHORT TERM DRIVER'S LICENCE REG'D	14JAN2011	14JAN2015	0000T
3 NORMAL \$250 REINSTATEMENT FEE REQUIRED	14JAN2011	14JAN2015	00000
3 PROHIB 90 DAY PROHIBITION - SEC 216.4(3) MVI	14JAN2011	15JUN2011	10150
3 HOLD \$500 IRP PENALTY FEE - PAY IN FULL	14JAN2011	14JAN2011	30500

\*\*\*\* ENTER TRANSACTION

F1-SCD F2-UCP F3-DRIVER-SEARCH F7-UPWD F8-FWD

DRIVERS

Connected to bcs001.gov.bc.ca

20. Press **Comments**, press **Add**, and add the comment "ADP/IRP file created."

Add New Comment

New Comment for ADP # 262418

User Id: s.15

Office: VICTORIA OSMV OSMV

ADP file created.

OK Cancel

21. Press **OK**.



ADP# 00-262418 s.22

Driver | ADP | Review | Comments | Events | Faxes | BAC | Admin

Notes for ADP # 262418 as of 5-Mar-2008

29/02/2008 10:51:17 s.15 NORTH VANCOUVER DSC  
No disclosure available when available please fax to his Lawyers office to # (604) 980-0285. Phone # (604) 984-2030.  
Lawyers name is Howard Rubin.

06/03/2008 14:46:06 s.15 VICTORIA OSMV OSMV  
ADP file created.

Receipt | Schedule | Decision | Print | Save | OK | Cancel

22. Press **OK**.
23. If the police documents are already on the system and you have printed them off, skip to step 28.
24. If there are no documents in the faxes check comments to see if the MOC team have faxed a request to the police for the missing documents. We are only allowed to make one request to the police – if MOC hasn't made the request then the appeals registry may do so. Go to: **W:\Appeal Registry\ADPVI\Scheduling Forms& adpVi checklists\FAX REQUEST TO THE POLICE**. (NOTE: The MOC fax request is slightly different than the appeal registry form which has more options for ADP)
25. Complete the form and fax to the police detachment. Add this fax and the fax confirmation to the file. We request these documents once only.
26. Go to **W:\Appeal Registry\ADPVI\Worthington folder**, open "**Police Request Log (year).xls**," and add information as required.
27. In ADP/VI Press **Comments**, press **Add**, and add the comment "Fax sent to (city) police detachment for all documents. Police log updated."
28. When the police documents are received (or if the documents are not received) open the **Police Request Log** again and update it. Review will go forward whether the documents are received or not.
29. Check that you have all the required pages in the file for either an ADP or IRP and they belong to the correct driver. If you have all the documents go to step 35.

**Note:** If the VI documents aren't included in the documents linked to the IRP check the ADP/VI system to see if there is in fact a VI and if so, print the documents and include as disclosure. You will need to ensure they go through the fax server and are linked to the IRP.

30. For **ADP** only - check that the Notice has one of the boxes ticked off indicating the reason for the prohibition. If the driver's copy of the Notice is included in the file check it and if neither box is ticked off the ADP is a nullity. Go to procedures for 3.6, Nullities.
31. For **ADP**, on **REPORT TO SUPERINTENDENT**, check whether report has been prepared to Crown Counsel. If yes, look for the report in the file. If not there, go to step 24 to fax it from the police. (NOTE: The MOC fax request is slightly different than the appeal registry and we may make a second request if the Report to Crown Counsel is ticked on the ADP RTS and isn't attached).

32. For **ADP**, on page 2 of the RTS check if the **Certificate of Analysis** is ticked **Yes** and that the certificate is included in the documents.
33. If the certificate is not included in the documents you must fax request to police for it. Go to step 24 to fax request to the police.
34. Check the bottom of the application form to verify that one of the boxes has been ticked indicating the status of the driver's licence. If not ticked, check the Notice of Driving Prohibition to ensure the officer has indicated that the DL has been seized. If there's no indication of the status of the driver's licence, go to **Process no DL seized by police**.
35. For **IRP** only Go to W:\Appeal Registry\ADP\Scheduling Forms& adpVi checklists/Superintendent's Report on ASD's June 2012 and print off this form. This must be included in the disclosure.
36. For **IRP** 'warn' (3, 7, or 30 days) go to Snipe enter the DL and name code of the driver, print a **P PRT** of the driving record. This must be included in the disclosure.
37. If there is no lawyer representing the driver, go to step 46.
38. If there is a lawyer representing the driver, prepare fax cover sheet to the lawyer. In Word, go to **T:\appeal registry\ADPVI** folder and open letter template "fax-ADP Disclosure fax cover" or FAX-IRP Disclosure.
39. Fill in the information on the dialogue boxes as appropriate. The fax cover sheet will display.

Microsoft Word - FAX SHEET.docx

File Home Insert Layout References Mailings Senders Tools Window Help

Font: Arial, 12pt, Regular. Language: English (Canada). Proofing: Spelling, Grammar, Thesaurus. Styles: Default Paragraph Style. Views: Print Layout. Windows: FAX SHEET.docx. Status Bar: Page: 1 of 1, Words: 188, English (Canada).

Ministry of Public Safety and Solicitor General

Office of the Superintendent of Motor Vehicles  
where you go to get your ID

**FAX SHEET**

Pages: 1 (including coversheet)  
Date: 3 October 6, 2012

To:   
Branch/Company:   
Phone:   
Fax:

From: Katie  
Intake Agent  
Office of the Superintendent  
of Motor Vehicles  
P.O. Box 9254 STN PRON GOVT  
VICTORIA BC V8W 0A2  
Phone: (250) 356-6573  
Fax: (250) 356-6544

Subject: Disclosure Documents, ADP #004  
Applicant Name:

Message:   
This review is scheduled for at . If you are making written submissions, these must be received at this office by the scheduled time for the review .

40. Print one copy of the cover sheet. Exit without saving.
41. Update the adjudicator worksheet and pre-hearing check list.
42. Before faxing the disclosure to the lawyer give the file and the documents to be faxed to a co worker to check that the documents are related to same driver and to confirm the number of pages being faxed. The person will add the date and their initials to the top right hand corner of the file folder once confirmed.
43. Fax the disclosure documents to the lawyer. Check that the fax went through and highlight this information on the fax confirmation. Place the fax and fax transmittal form in the file.
44. In ADP VI, **Comment**, add comment "Faxed lawyer disclosures."



**Add New Comment**

New Comment for ADP # 262418

User Id: s.15

Office: VICTORIA OSMV OSMV

Faxed lawyer disclosures

OK Cancel

45. Press **OK, OK**. Repeat for each ADP/IRP file.
46. If there is no lawyer acting for the driver, phone the driver and go through prehearing issues which should include the following: - (Proceed to step 49 if you leave a message for the client to call back)
  - The type of review chosen, date and time of review
  - Ask if the driver has retained a lawyer, and if so get the lawyer's phone and fax number. You won't need to complete prehearing at this point and can end the call. Go back to step 38.
  - If oral, advise the client that an adjudicator will call at the time of the review and confirm the contact phone number.
  - If written, the submission must be faxed before the review date and time.
  - Ensure client has the disclosure documents and if not they can be either faxed to the client or picked up at the DLC (the clerk can print them off).
  - Ensure that for an **IRP** only the client gets a copy of the Superintendent's Report of ASD's. Either pick up at DLC or as a last resort it can be emailed through the OSMV mailbox)
  - Ensure that for a **IRP** 'warn' (3, 7, or 30 days) the client needs get a copy of their driver's abstract – the DLC may have already given a copy to the driver.

If the client is picking up the ASD info sheet and/or driver's abstract at the DLC put the form9s) through the fax server, find it in the server and then link it to the ADP/IRP and put a comment in the system to indicate the date it was linked to the faxes. This will make it easier for the DLC clerk to find it and print it off.
47. In ADP VI, **Comments**, add a comment like: "I phoned the client and confirmed oral/written review, no lawyer retained, client has disclosure and will pick up ASD info sheet at the DLC or ASD info sheet has been faxed or emailed to the client (If client is picking up disclosures at the DLC indicate this in the comments and to ensure the client gets the ASD info sheet). Proceed to

48. If you have to leave a message for the client to call back add this in comments with a description on why you were calling so that if you don't get the call back the person that does can help the client and refer to your comments. Put the ASD info sheet through the fax server, find it in the server and then link it to the ADP/IRP and put a comment in the system to indicate the date it was linked to the faxes which will make it easier for the DLC clerk to find it and print it off for the client if need be.

The screenshot shows a window titled "Add New Comment". Inside, it says "New Comment for ADP # 262418". Below that, "User Id: s.15" is shown, with "s.15" highlighted in a red box. Underneath, "Office: VICTORIA OSMV OSMV" is displayed. A large text area contains the text "Phoned client re pre hearing issues. Has disclosures and is aware of date and time of review." At the bottom right of the window are "OK" and "Cancel" buttons.

49. Press **OK**, Repeat for each ADP/IRP file. (sample of comments only)

### To process no DL seized by police

To process ADP/IRP appeals, the driver's licence must be seized from the driver. For **ADP** the BCDL only and for **IRP** any driver's licence.

- Check the bottom part of the application to ensure it has been completed by the Driver Services Centre (DSC) indicating the status of the DL. If indication is shown, then proceed with the review process.
- If the box for the statutory declaration is ticked, then the form must be attached to the application.
- If there is no indication on the application, check the ADP/IRP notice to see if the officer ticked off that the DL was seized. If the DL was seized, then proceed with the review.
- If there is no indication on the status of the DL, contact and advise the client to either surrender the DL at a DSC, or complete a statutory declaration before the review date. OSMV must be notified that this has occurred before the review date or the review will be cancelled.

- If the client has retained a lawyer, add the following paragraph to the fax to the lawyer when faxing disclosure documents. Go to W:\Appeal Registry\ADPVI\Missing DL verbiage for cover sheet. Copy and paste into the fax cover sheet to the lawyer. Follow-up with a reminder call to the lawyer.

#### **"Prior to review being conducted"**

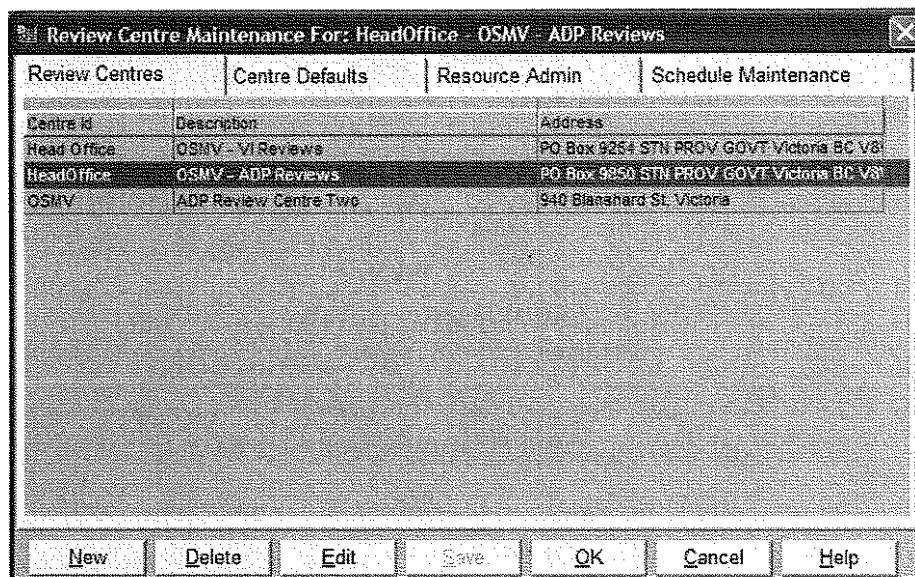
Please be advised that the Notice of Driving Prohibition indicated that the client's driver's licence was not seized, and your client's application for review does not indicate that they surrendered it to ICBC when they applied for their review. Advise your client to either surrender their British Columbia driver's licence or complete a Statutory Declaration at any Driver Services Centre (DSC) and fax it to the above noted fax number before the review date and time or we will have to cancel this review

- If you have not received confirmation of DL status by the time of the review, cancel the review (see [To process cancellations](#)). OSMV doesn't refund the review fee.

#### **To close off review bookings**

About 4 days prior to the review date, close off bookings.

1. Open Schedule Maintenance and press **Schedule**.



2. Press the **Schedule Maintenance** tab.



Review Centre Maintenance For: HeadOffice - OSMV - ADP Reviews

Review Centres | Centre Defaults | Resource Admin | Schedule Maintenance

HeadOffice Today's Date: 2008/03/05

March 2008

Time	Max Blocks	Alloc Blocks	Oral/Written
09:00 - 09:30	3	3	ORAL
10:00 - 10:30	3	2	ORAL
11:00 - 11:30	3	2	ORAL
13:00 - 13:30	6	5	WRITTEN

New Delete Edit Save OK Cancel Help

3. Select the first row and press **Edit**.

Schedule Maintenance

Start Time: 10:00 End Time: 10:30

Max Blocks: 3 Alloc. Blocks: 2

Review Type: ORAL

OK Cancel

4. Decrease **Max Blocks** to **0**. This will insure no new reviews are booked. Press **OK**.
5. Repeat for other time blocks.
6. Press **Save**.

### To assign ADP/VI reviews to adjudicators

Assign ADP and VI reviews to adjudicators prior to the review date.

1. Go to **W:\Appeal Registry\ADPVI\Schedule\'current year\' ADP IRP Schd** and note the adjudicators in for the review date on the *REVIEW SCHEDULE REPORT*. Allocate reviews fairly and record the oral and written reviews given to each adjudicator on the scheduled. Write the adjudicator's name beside the file assigned on the *REVIEW SCHEDULE REPORT*.
2. Make enough copies of the *REVIEW SCHEDULE REPORT* for the number of adjudicators, the Appeals Registry unit, Adjudicator Supervisors (3) and Managers (3).
3. Highlight the review file(s) on a separate sheet for each adjudicator

4. Separate the assigned file(s) for each adjudicator and on the *ADJUDICATOR WORKSHEET* on each file, *write* the adjudicator's name and the date assigned.
5. Place a copy of each adjudicator's *REVIEW SCHEDULE REPORT* on the appropriate set of files, and wrap an elastic band around the files..
6. Distribute the files to the adjudicators and give copies of *REVIEW SCHEDULE REPORT* to the Team Leads and managers. Put the appeals registry copy up on the bulletin board with the other review reports.

### To process cancellations

1. If you receive a fax or a telephone request from the client or their representative and you still have the file at your desk then cross it off on the copy of the *REVIEW SCHEDULE REPORT* and put comments in the ADP/IRP system.
2. In ADP, **Comments**, enter appropriate comment. On **Review** tab, for **Review Type**, select **Cancelled**. (this should not be done until after the review see the Note: below)
3. If the file has already gone to the adjudicator, cross off the review on the copy of the *REVIEW SCHEDULE REPORT* located in Appeals Registry.
4. Notify the adjudicator of the cancellation or if a fax was received cancelling the review give it to them. It's the responsibility of the adjudicator to cancel with it.

**Note:** If you cancel before the review date is passed, you may open up a block for that date by mistake unless you've closed for the review blocks to reflect 0 as in the section **To close off review bookings**. If you haven't, make the necessary adjustments to **Schedule Maintenance** before proceeding.

### Providing Disclosure to Counsel

When a client applies for a review and they have retained legal counsel to represent them it's usually noted on the application or the client usually calls to advise if they retain legal counsel or the client tells you when you phone for prehearing.

The Appeals Registry will make note of these on the file and fax disclosure directly to the lawyer without need of signed consent from the client.

If a lawyer contacts the appeals registry to request disclosure and there is no note on file from the client indicating legal counsel has been retained and who legal counsel is we will request signed consent from the client prior to releasing the disclosure documents.

## Processing Review Extension Applications

The Processing Review Extension Applications procedure consists of the following task:

- To process a review extension application for ADP and IRP prohibition

Under the *Motor Vehicle Act* (MVA), drivers who are served with a *Notice of Driving Prohibition* (ADP, IRP), are allowed 7 days from the date of service to apply for a review of the prohibition. The notice served by the police states that drivers must go to a Driver Services Centre (DSC) and apply for a review and pay the required application fee.

Although the MVA specifies a 7-day limit for applying, the Supreme Court of BC has said the Superintendent of Motor Vehicles has jurisdiction, to be used sparingly and in unusual circumstances, to extend this limit. Drivers may write to OSMV giving the reason(s) for missing the 7-day limit. An adjudicator will review the letter and decide whether to approve the driver's opportunity to apply for a review or not.

### To process review extension applications for ADP and IRP

1. A letter is received from the client giving some indication that the 7 day limit was missed to apply for a review. The letter usually references a DL or IRP so it'll be easy enough to find but if not you'll have to do a search under the client's name to find it either in driver's or the ADP/VI system.
2. Print existing disclosure (from ADP/VI if the disclosure is available) and make up an appropriately coloured file folder. Write "**Review Extension Request**" in bold on the cover.
3. Go to: **W:\Appeal Registry\ADPVI\Schedule\2012 ADP IRP Schd** and assign the file to the next available adjudicator dedicated to doing these files (the rows will be highlighted to indicate these adjudicators). Enter the number of file(s) you gave to the adjudicator for that day.
4. In the ADP/VI system, add a comment stating a review extension letter has been received and given to an adjudicator to respond with the adjudicator's initials.
5. If the adjudicator approves the review or has sent a letter with the information sheet requesting further information, the file will be put in the review extension tray in the Appeals Registry. The driver will be given a date to respond.
6. If a letter is received and it appears it is in response to the adjudicator's further letter in step 5, check the comments in the ADP/IRP system to confirm and then get the file from the review extension tray in the Appeals Registry. Add a comment stating a further letter has been received and give the file to the same adjudicator that wrote the letter.
7. If a review is approved the Appeal Registry will be contacted by a DSC clerk when the client attends the office to book and pay for a review. In ADP/VI, check the comments box in the driver's file to verify that it's OK to schedule a review and is within the dead line given by the adjudicator, get the file from the review extension tray (the letter from the adjudicator is in the file so double check a review was approved and check the date).
8. If the RDP status codes have been added to the DL as a result of this incident then you need to email the RDP unit (Carolyn and Paul) and advise that a review extension request has been approved and the RDP/IIP requirement needs to be deferred until the outcome of the review.



9. For an ADP or IRP schedule the review using the schedule maintenance system. Ask the DSC clerk to fax the application to the Appeal Registry and add your comments to state that you booked the review for the DLC. For ADP only continue to step 10 for IRP proceed to step 14. (note: the IRP stays in effect throughout the review process)
10. For ADP's only, check Driver's. If the ADP is pending on the DL, amend the ADP in XS to reflect the new prohibition effective date, which will be 8 days past the scheduled review. The driver may have a temporary DL up to and including the date before the prohibition effective date. (Note: the Notice of ADP is the driver's temporary DL only for the 21 days past the service date so if the time period is over these 21 days then the client will need a temporary DL issued)
11. If the ADP is already in effect, in Drivers amend the DL in XS (remove the ADP, 2 year licence and \$250 reinstatement fee status codes) and in SUS (end the ADP the date the client attended the DLC to make application). This will reflect a 'stay' of the ADP until the outcome of the review.
12. Prepare an OSMV status update requirement form to uncanceled the DL and restore DL expiry and licence type, indicate it's urgent, and fax to ICBC Adjudication.
13. Advise the DLC clerk to issue a temporary DL to the client for 7 days past the booked review date (provide the date to the clerk). ICBC will need to uncanceled the DL before this can be done.
14. In ADP/VI, add comments in the driver's file indicating all the actions you're taken. (if the client has served some days of the ADP indicate the days served and the days remaining on the prohibition term).
15. For ADP only, if the client has served part of the prohibition, go to: **W:\Appeal Registry\ADPVI\Scheduling Forms& adpVi checklists\ ADP approved Seger's adjudicator info sheet** and print it off. Fill in the blanks with the appropriate information (this sheet informs the adjudicator if the review is unsuccessful that the client has already served days of the prohibition and must serve the remaining days).
16. When the application comes in give it and the file to the intake agent handling the files for the review date.
17. The date the adjudicator must have the decision sent by is 7 days from the review date.

## Prohibition Impersonations

The Impersonation procedure consists of the following task:

- To process notice of impersonation

If a driver has been impersonated by another driver regarding an incident under one of OSMV's programs, we will be advised by fax letter from a police officer or from ICBC. OSMV will need official documentation from the officer before proceeding. The documentation will need to provide driver information of the victim and information related to the incident, and may or may not provide information of the correct driver.

Note: For an ADP the officer may reserve the prohibition. For an IRP the officer cannot 'reserve' the IRP on the correct person. If the DL information is provided then we ensure the IRP and any associated fees or RDP status codes are added.

### To process notice of impersonation

Perform this task when a fax or letter is received from the police on official letterhead or police supplemental report indicating that an impersonation has occurred with details of the victim (name, DL number, IRP/ADP/UL number).

1. Make up appropriate coloured file folder (IRP/ADP, or UL). Write on the side tab the corresponding IRP, ADP or UL number and write "IMPERSONATION" on the cover.
2. Print all documents and place into the file.
3. In ADP VI, press **ADP**.
4. If ADP, enter the ADP number without zeros. If IRP, enter the IRP number beginning with "21" or "30" for UL (do not include the last greyed out number).

ADP #	Incident Dt	DL #	Surname	Given1	Given2	S
-------	-------------	------	---------	--------	--------	---

5. Press **Search**, **Open**.

ADP# 20-171943 s.22

Driver ADP Review Comments Events Faxes BAC Admin

DL #:  
Name:  
Address Prefix1:  
Address Prefix2:  
Address (street):  
Birth Date:  
City/Town:  
Postal:

Prov/State: BC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

6. Press **Faxes** tab.

ADP# 20-171943 s.22

Driver ADP Review Comments Events Faxes BAC Admin

Fax Id	Date	Disclosure	Description
MV2702AA	2010/09/30	Yes	Attachments
MV2702AA	2010/10/01	Yes	Attachments
MV2723	2010/09/30	Yes	Notice of Prohibition RP
MV2723	2010/10/01	Yes	Notice of Prohibition RP
MV2724	2010/09/30	Yes	Report to Superintendent RP
MV2726	2010/10/01	No	Application For Review RP

Modify Move Print Single Print All View

Receipt Schedule Decision Print Save OK Cancel

7. Press **Print All** button.

Print Fax Disclosure

Proceed and print all Disclosure Documents?  
Printing will take one to several minutes.

Yes No

8. Press **Yes**. The faxes will print.



ADP/20-1739 s.22

Driver ADP Review Comments Events Faxes SAC Admin

Fax Id:	Date:	Disclosure:	Description:
MV2702AA	2010/08/30	Yes	Attachments
MV2702AA	2010/10/01	Yes	Attachments
MV2723	2010/08/30	Yes	Notice of Prohibition RP
MV2723	2010/10/01	Yes	Notice of Prohibition RP
MV2724	2010/08/30	Yes	Report to Superintendent RP
MV2725	2010/10/01	No	Application For Review RP

Modify Move Print Single Print All View

Receipt Schedule Decision Print Save OK

No more Disclosure Documents to print.

9. Press OK.

10. In Drivers, on the victim's DL number, in XS and SUS, remove the associated codes (IRP, ADP, or UL) for the date of the incident only (XS and SUS screens are shown below).

Driver Status Transaction SCREEN 61

06/01/11

LICENCT s.22 CONSOLID NAME : s.22

MOTIV STATUS : PROHIB OFF DATE: 26JAN2011

DNIS SECTION : S & T FILE REF: F000000

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

0 MASTER EXPANDED	EFFECT DATE	REVIEW DATE	STAT CODE
1 NORMAL DRIVER LICENCT REPORTED STOLEN / LOST	11AUG2009	11AUG2014	901RS
2 NORMAL RFPD PROGRAM COUNSELLING COMPLETED	14JAN2011	14JAN2011	00PCC
3 NORMAL "OTHER" SECONDARY IDENTIFICATION PROVIDED	19JAN2011	19JAN2011	00STD
4 NORMAL 2 YR SHORT TERM DRIVER'S LICENCT REQ'D	19JAN2011	26JAN2016	00RSI
5 NORMAL \$2000 AFFIDAVITMENT FEE REQUIRED	19JAN2011	26JAN2016	00050
6 PROHIB 90 DAY PROHIBITION - NYC \$15.43 RVR	19JAN2011	13JAN2061	12162
7 HOLD \$500 IRP PRIORITY FEE - PAY IN FULL	19JAN2011	13JAN2061	04500
8 HOLD \$500 IRP PRIORITY FEE - PAY IN FULL	19JAN2011	26JAN2061	04566

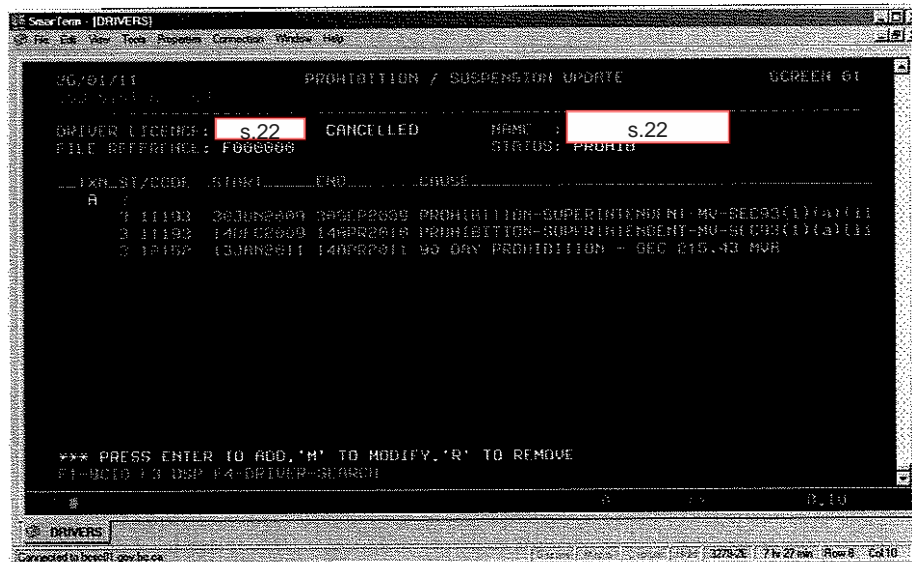
\*\*\*\* DRIVER UPDATED SUCCESSFULLY

F1-HELP F2-HELP F4 DRIVER-SEARCH F7-DRWD F8 FWD

DRIVERS

Connected to bcsd1.gov.bc.ca

Screen: 61/61 Page: 1/1 Row: 10 Col: 71



11. Fax ICBC Adjudication Unit a system update sheet ICBC to uncanceled the DL in PRE and restore DL expiry & license type in FUD, remove from contraventions and tick off the impersonation box (put this and the fax confirmation sheet in the file). Ensure DL is updated)
12. Prepare letter to victim W:\Appeal Registry\ADPVIA\IRP ADP UL letters 2012\Templates\ADP IRP impersonation.
13. Customize the letter for the ADP, IRP, or UL. Print 2 copies and an envelope. Place one copy in the file and mail a copy to the victim.
14. For IRP only (if ADP go to step 18): if police report indicates the 'correct' driver DL information then delete the IRP under the victim's DL from the ADP/VI system and reenter IRP info under the correct driver's DL. (note: for ADP only, the officer can reserve the correct driver).

**NOTE:** once you delete the file from the system the fax documents automatically go back into the fax server to the top so you have to be quick to link them to the new correct driver because they will be linked again to the victim driver and you'll have to delete again etc.

15. For IRP\ADP, if RDP/IIP status codes are on DL email RDP unit to advise of impersonation and to remove them and add the RDP/IIP to the new correct driver.
16. Add appropriate IRP status codes to the correct DL and cancel DL if required.
17. If ADP only, send 'action email' to Team Lead regarding the impersonation and the ADP has been removed from victim DL and now the correct driver can be served a new ADP.
18. If the letter from the police isn't linked to file already put it through the fax server so the document is linked to the appropriate file.
19. In ADP/VI, make clear and concise comments (if IRP has been added to correct driver refer to victim's DL info).

Driver	ADP	Review	Comments	Events	Faxes	SAC	Admin
ADP# 20-197675 s.22							
Notes for ADP # 20197675 as of 31-Jan-2011							
2011-01-19 08:02:41	S.15	VICTORIA OSMV - OSMV	Rec'd request from RSU- Greater Vancouver to have RP & UL removed from the clients driving record, based on investigation results that show an impersonation occurred. Police doc's attached. Faxed request to ICBC to have prohibition removed from drivers system.				Add
2011-01-19 09:58:24	S.15	VICTORIA OSMV - OSMV	Copy of police report sent to ICBC, letter to the victim has been sent advising that the RP has been removed from the drivers record for the Oct 31-10 3day RP.				
2011-01-19 12:23:01	S.15	VICTORIA OSMV - OSMV	I phoned and left a message with Cst. Fenety confirming police will need to re-serve RP and UL prohibition notices to correct driving record. Marie				
2011-01-20 12:09:44	S.15	VICTORIA OSMV - OSMV	Linekd only Kyla				
2011-01-21 16:38:11	S.15	VICTORIA OSMV - OSMV					
<input type="button" value="Receipt"/> <input type="button" value="Schedule"/> <input type="button" value="Denison"/> <input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="OK"/> <input type="button" value="Cancel"/>							

20. Ensure all the changes are completed to the driving record by both RDP and ICBC.
21. Put all documents in the file and file in the cabinets in the front reception area.



## Entering Prohibitions on Driver's

The MOC team links documents from the fax server and sometimes they come across an ADP, IRP or UL that can't be updated to the driver's system. An OSMV system update requirement form is completed and given to the Appeals Registry to add to the driving record. If the client hasn't paid the fee(s) associated with the IRP or UL a letter needs to be sent to client advising fees need to be paid or DL will be cancelled.

- Add IRP to driver's
- Cancel DL
- Create and send fee paid or be cancelled letter to client
- Update the BF log

1. You will be given a system update sheet from the Team Lead.
2. Bring up the IRP in ADP/VI, go to the faxes and bring up the Notice to confirm the driver and the term of the IRP.
3. Enter the DL in the driver's system.
4. Review the DL to ensure the prohibition is not already.

Note: the client may have already attended the DLC to reinstate DL after serving a 3 day IRP and the DLC rep has added it to the DL. If this is the case, ensure the term of the IRP (start and end date) and the cancelled DL date is correct and the client paid the appropriate fees regarding the prohibition. Go to step 9 if the cancelled date is wrong –

5. If the prohibition is not on the DL but it appears the client may have reinstated their DL (free duplicate, renewal etc.) around the time of the end of the prohibition and didn't mention it to the DLC rep and didn't pay the fees for the prohibition. You will need to add the prohibition to the DL in SUS only, don't cancel the DL because it will cancel the licence that was just reinstated and proceed to step 10.
6. If the prohibition is not on the DL and the client hasn't reinstated DL go to XS and enter the appropriate status codes for the term of the IRP. Note that you won't need to enter the code in this section for the IRP if the prohibition is over.
7. In SUS enter the start and end date of the IRP.
8. In CAN cancel the appropriate licence (usually the last one in the list) using the start date of the IRP.
9. If the DL cancelled date is wrong go to PRE and modify and cancelled date. (Follow these instructions: under the column TXN take the cursor down to the row you need to modify and press M and enter. The row will come up to the top of the section to enable you to tab over to the cancel date column and modify the date then press enter)
10. If the client has reinstated DL but didn't pay the fees associated with the prohibition a letter needs to be sent to the client to advise these fees must be paid or the DL will be cancelled.
11. Go to: **W:\Appeal Registry\ADPVI\IRP and UL no fee cancellation letter\ IRP Cancellation Letter Template**. Enter in the appropriate information for the client you are addressing.
12. Save the letter under: **W:\Appeal Registry\ADPVI\IRP and UL no fee cancellation letter\IRP letter\2012 letters** (IRP number and client last name)
13. Print 2 copies of letter and an envelope. Mail one to the client and keep the other at your desk in the file to bring forward in a month's time.

14. Print off the faxes associated with the file and put the letter and documents in the appropriate coloured file folder.
15. Add comments to the IRP on the ADP/VI system like: "client reinstated DL without paying the fees, letter sent to client to advise if fees not paid DL will be cancelled by '*this date*'- file created.
16. Go to: **W:\Appeal Registry\ADPVI\IRP and UL no fee cancellation letter\IRP UL Cancellation Log** and add the information to the log.
17. Keep the file at your desk to bring forward (BF) in the month's time. At that time bring up the client's DL to check if the fees have been paid. If they have not cancel the DL and go to XS and add the status codes for reinstatement fee and penalty fee for the appropriate IRP.
18. Add your comments to the ADP/VI system either indicating the client paid the fees or didn't and you cancelled the DL.
19. File to be put in the cabinet in the front reception.

## Preparing Judicial Review File for Legal Services Branch

The Preparing Judicial Review File for Legal Services Branch (LSB) procedure consists of the following tasks:

- To prepare file for LSB
- To update ADP system
- To scan and send file contents to LSB
- Section to defer RDP and fees only (files related to the Siva case)

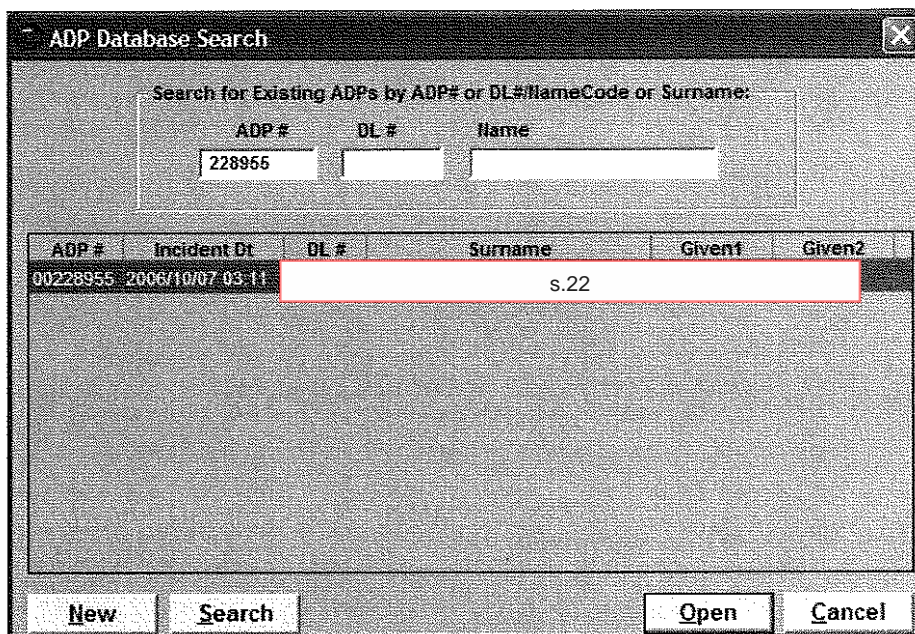
If drivers are unsuccessful in their appeals of their administrative or immediate roadside driving prohibitions, they have the legal right to apply for a judicial review of the decision with the Supreme Court of British Columbia. The driver retains a lawyer or does it themselves in a rare case and files a *Notice of Petition* in the Supreme Court of British Columbia. The judicial review comes to OSMV's attention from LSB. The first step is to prepare a file for LSB.

### To prepare file for LSB:

1. When you receive an email from LSB (the email is usually addressed to the PSSG OSMV Jr Petitions Team which includes several people in OSMV and LSB), usually with a copy of the petition to the court and request for the file contents. (Request a copy of the Petition if not provided in the email)
2. Open ADP/VI and press **ADP**.

ADP #	Incident Dt	DL #	Surname	Given1	Given2
-------	-------------	------	---------	--------	--------

3. Enter the ADP# or IRP# from the email. Press **Search**.



ADP Database Search

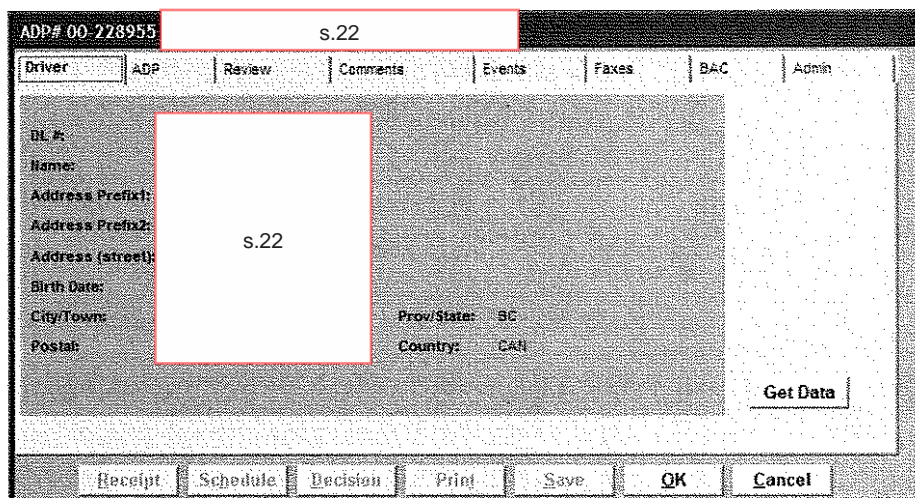
Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

ADP # 228955 DL # Name

ADP #	Incident Dt	DL #	Surname	Given1	Given2
00228955	2006/10/07 03:11		s.22		

New Search Open Cancel

4. Verify that you have the correct person. Press **Open**.



ADP# 00-228955 s.22

Driver ADP Review Comments Events Faxes BAC Admin

DL #:  
Name:  
Address Prefix1:  
Address Prefix2:  
Address (street):  
Birth Date:  
City/Town:  
Postalt:

s.22

Prov/State: SC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

5. Press the **Review** tab.



ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
ADP #:	00-228955	Status:	Active				
DL Seizure Method:	Seized by Police						
Incident Date:	2006/10/07 09:11						
Incident Street/Highway:	VICTORIA RD						
City/Town:	REVELSTOKE						
Section:	84.1B - Refuse to prov						
Peace Officer's Name:	CST C. SCHNEIDER						
Pin/Badge #:	52153						
Enforcement Agency:	Revelstoke						
Agency File #:	2006-3519						
Service Date:	2006/10/07						
Prohibition Effective Date:	2006/10/29						

Receipt Schedule Decision Print Save OK Cancel

6. Check the review tab to see if there was a review and if so get the file from the cabinet at front reception using the date of service of the ADP or IRP- If it's not there then it will be offsite and you must request it, go to: **W:\Staff\Office Support\ File Box and Document Request Spreadsheet** and enter the required information for the column headings. Email LSB to let them know file is offsite and you'll respond once you get the file.
7. If there wasn't a review go to faxes and print off the documents.
8. Once you have the file place all documents in chronological order. The file should include:
  - The disclosure (application, police documents, ASD info sheet, etc.) faxed to the lawyer including fax cover sheet and fax confirmation sheet.
  - If there's no lawyer all the police documents and application for review
  - Submissions received from the lawyer or applicant
  - Any other related correspondence
  - The Adjudicator's decision letter including fax confirmation sheet
9. Scan the entire contents of the file to yourself and then copy it as an attachment to your email response to LSB. (if there wasn't a review advise LSB of this)

**To update ADP system:**

1. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver | ADP | Review | **Comments** | Events | Faxes | BAC | Admin

Notes for ADP # 228955 as of 20-Nov-2007

10/10/2006 13:45:16 S.15 COQUITLAM LOUGHEED DSC  
 REWRITTEN REVIEW OCT 18/06 13:00 -LAWYER - HOWARD SMITH PH# 604 535-7688-PLEASE FAX DISCLOSURE TO 604 535-7689

10/10/2006 14:03:54 S.15 VICTORIA OSMV OSMV  
 I found this ADP already on the system, linked notice. bcd seized sent copy of DL request to ICBC

11/10/2006 15:43:25 S.15 VICTORIA OSMV OSMV  
 created file

13/10/2006 14:33:24 S.15 VICTORIA OSMV OSMV  
 Faxed lawyer disclosure

15/10/2006 08:21:46 S.15 VICTORIA OSMV OSMV  
 Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.

Receipt | Schedule | **Decision** | Print | Save | OK | Cancel

2. Press **Add**.

Add New Comment

New Comment for ADP # 228955

User Id: AH

Office: VICTORIA OSMV OSMV

Nov. 7/06 - email from Bob M. - new petition file - Re s.22 File copied out at front reception for pickup

OK Cancel

3. Add comments – which should read something like: Petition to the court received on DATE – file contents scanned and sent to Legal Services Branch. Press **OK**. The **Comments** screen will reappear.
4. Place the file in the pending judicial review file bin drawer for petition received only.
5. After six months or so if nothing further has been received follow up with LSB by email. If no action is required send the file off site.

## Defer RDP and monetary fees only

We will receive an email from Legal Services with a petition attached or a letter from Legal Services sent to the client's counsel indicating the driver doesn't want to stay the prohibition but wants to jump on the constitutional bandwagon. In these cases OSMV has agreed to defer all monetary requirements (RDP/IIP) and fees related to these requests once the IRP has been served. In some cases there's hasn't been a review so you'll need to print the faxes from the system, scan them and send them to Legal Services. The RDP unit will do their part and remove their status codes if applicable.

1. Get the file from the cabinet in the front reception or if necessary create a new file.
2. Go to the driver's systems and enter the DL for the client. Go to XS and remove the following:

TXN TYPE: enter 'r' (for remove)

STATUS CODE: enter 00050 2 year short term

EFFECT DTE: enter the effective date as shown on the last line of text on the screen

TXN TYPE: enter 'r' (for remove)

STATUS CODE: enter 000ST reinstatement fee

EFFECT DTE: enter the effective date as shown on the last line of text on the screen

TXN TYPE: enter 'r' (for remove)

STATUS CODE: enter the status code for the IRP penalty fee(3, 7, 30 or 90days)

EFFECT DTE: enter the effective date as shown on the last line of text on the screen

PRESS ENTER

3. Fax a status update sheet to ICBC to uncanceled the DL, restore the DL expiry & licence type and remove from contraventions.
4. In the ADP system under the appropriate IRP print off all the faxes and add comments like the following:

The prohibition has ended - Letter received from LSB which indicates the client has been advised the RDP/IIP requirements, plus the penalty and reinstatement fees have been put on hold. ICBC has been faxed the system update form to restore and uncanceled DL.

**Client can now obtain a free duplicate DL if applicable under ICBC guidelines.**

5. Put the file in the judicial review progress file section with the other files under 'FEES & RDP DEFERRED'.

6. NOTE: in some cases the client has completed the IRP, the RDP requirement and installed the ignition interlock in the vehicle. The RDP unit will do all the driver's system work because the client already holds a valid DL. The appeals registry doesn't need to anything except get the IRP file and put it in the appropriate section for future reference.

## Receiving Notice of Stay of Driving Prohibition

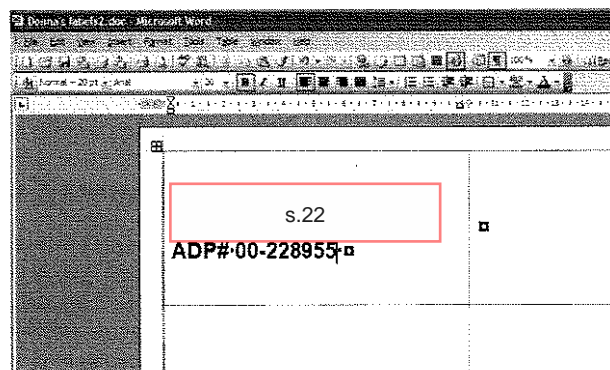
The Receiving Notice of Stay of Driving Prohibition procedure consists of the following tasks:

- To prepare file label and worksheet
- To update Drivers system
- To remove a pending ADP from the DL
- To remove an ADP or IRP already in effect from the DL.
- To request a status update from ICBC
- To update ADP system
- To update tracklog
- To send CPIC Update Notice to the police
- To process a further stay of prohibition
- To update the file and return to JR section in the appeals registry

### To prepare file label and worksheet:

Once OSMV is notified by the Legal Services Branch (LSB) that a stay of driving prohibition has been received, a judicial review file is opened. A copy of the order staying the prohibition will usually be received by email from LSB. The RDP/IIP unit is also included in the email from LSB and RDP will be dealt with directly by the RDP unit.

1. Get the file from the JR section in the Appeals Registry if we have already received the petition to the court and sent file contents to LSB – comments in the file will indicate it this has been done. If not you'll need to get the file from the cabinet in the reception area or request it from offsite. Respond to the email to say you'll deal with it so everyone in the appeals registry knows.
2. Go to **w:\Appeal Registry\Judicial Review\Labels** and open the file "LABELS".
3. Create a file label with the following information:
  - LAST NAME, first and middle names
  - DL#
  - ADP# or IRP#



4. Print the label and put it on the tab of the file folder.
5. Go to **w:\Appeal Registry\Judicial Review\Blank Letters\_PSSG\JR TEMPLATES** and open the file "1<sup>st</sup> Judicial Review Worksheet".

**Note:** A macro will start and a series of boxes will display requesting information to print on the worksheet.



6. Create the worksheet inserting the following information as requested. You may have to modify the sheet since it's a old version and some of the information is no longer required.

- Name
- DL#
- ADP# or change to reflect IRP#
- Date prohibition served
- Effective date of prohibition
- Date of stay
- Number of days of prohibition served (use Julian calendar)
- DL seized (Y/N)
- Name of review adjudicator
- Name and contact information of the lawyer

**1st Judicial Review Worksheet**

Name: s.22 → ADP# 00-228955

Date Prohibition Served: 2006/10/07 →

Date of Prohibition: 2006/11/20 →

Date of Stay: 2006/11/20 →

Days of Prohibition Served: \_\_\_\_\_ Days Remaining: \_\_\_\_\_

DL Seized: ☐ Y ☐ N

Review Conducted: ☐ Y ☐ N → Review Adjudicator: \_\_\_\_\_

☐ ORAL → ☐ WRITTEN

Lawyer: Howard Smith → Phone: (604) 535-7688 → Fax: (604) 535-7689 →

☐ Add ADP status to Drivers System ☐ Letter sent? ADP Comments added:

☐ Copy of review fees to Legal Services - Fees only if no review ☐ Tracking updates

☐ Prohibition Stayed ☐ KBC system's update time

☐ FUD PRE System amendment (upload to KBC) ☐ KBC system's update

☐ Letter of stay to drivers ☐ ADP removal

☐ ADP Comments update

Prohibition Date: \_\_\_\_\_

Days Remaining to Serve: \_\_\_\_\_

7. Print the worksheet and attach to the inside front cover of the file.

### To update Drivers system:

1. In Drivers system, enter the driver's DL# and press **Enter**.

SmartTerm - [bcs01.stw]

File Edit View Tools Properties Connection Window Help

20/11/07 DRIVERS LICENCE DISPLAY SCREEN 01

LICENCE s.22 STATUS PROHIB FILE REF

TYPE CANCELLED KEYWORD PFINGST SEX MALE

BIRTHDATE s.22 ADDRESS SRCE MDS LICENCING

EXPIRY DT 000000000 ADDRESS DATE 26APR2007

CLASS 500 LAST EXAM DT 26APR2007

RESTRICT NONE LAST MED DT

LAST CANCEL DT 23OCT2007

PROV/STATE: s.22 DL # s.22

HEIGHT: 105CM WEIGHT: 076.0KG FYF COLOUR: BLUE HAIR COLOUR: GREY

PRIMARY ID: s.22 SECONDARY ID: PASSPORT

s.22 s.22

3 NORMAL 2 YR SHORT TERM DRIVER'S LICENCE REG'D ED 23OCT2007 RD 23OCT2012

3 NORMAL \$100 REINSTATEMENT FEE REQUIRED ED 23OCT2007 RD 23OCT2012

3 PROHIB ADMINISTRATIVE DRIVING PROHIBITION 94.2 MVA ED 23OCT2007 RD 21JAN2008

\*\*\* PRESS PF 8 FOR ADDITIONAL INFORMATION

☐ BOLD ☒ DRIVER SEARCH ☐ UNKN ☐ FWD ☐ DNM

0 2.2

bcs01.stw

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Session: Marco Taskset: Hold 3278-2E 5 hr 5 min Row 2 Col 2

2. In the entry field in top left, enter XS [DL#] and a space. Press Enter.

SmartTerm - [bcs01.stw]

File Edit View Tools Properties Connection Window Help

20/11/07 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: s.22 CANCELLED NAME : s.22

MASTER STATUS : PROHIB EIT DATE: 23OCT2007

ORIG. SECTION : S & T FILE REF:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

0 MASTER EXPANDED EFFECT REVIEW STAT

5 STATUS STATUS DATE DATE CODE

3 NORMAL 2 YR SHORT TERM DRIVER'S LICENCE REG'D 23OCT2007 23OCT2012 00051

3 NORMAL \$100 REINSTATEMENT FEE REQUIRED 23OCT2007 23OCT2012 00050

3 PROHIB ADMINISTRATIVE DRIVING PROHIBITION 94.2 MVA 23OCT2007 21JAN2008 11542

\*\*\* ENTER TRANSACTION

☐ BOLD ☐ UNKN ☒ DRIVER SEARCH ☐ FWD ☐ DNM

0 7.16

bcs01.stw

Connected to bcs01.gov.bc.ca

Session: Marco Taskset: Hold 3278-2E 5 hr 6 min Row 7 Col 16

3. Add the following information:
  - TXN TYPE: a
  - STATUS CODE: 00PJR (ADP) or 0PJRI (IRP) (first digit is a zero)
  - EFFECT DTE: (date stamp on consent order)
  - REVIEW DTE: (leave default)
4. Press **Enter**. The following screen will display indicating that the driver's record has been updated successfully with a pending review status.

20/11/07 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: s.22 CANCELLED NAME : s.22

MASTER STATUS : PROHIB EFFECT DATE: 230012007

ORIG. SECTION : S & I FILE REF:

TXN TYPE	STATUS CODE	EFFECT DTE	REVIEW DATE
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:
TXN TYPE:	STATUS CODE:	EFFECT DTE:	REVIEW DATE:

0 MASTER EXPANDED	EFFECT DATE	REVIEW DATE	STAT CODE
0 STATUS STATUS			
3 NORMAL PENDING JUDICIAL REVIEW - ADP	20NOV007	20NOV012	00PJN
3 NORMAL 2 YR SHAMI FROM DRIVER'S LICENCE REW'D	23OCT007	23OCT012	000ST
3 NORMAL \$100 REINSTATEMENT FEE REQUIRED	23OCT007	23OCT012	00050
3 PROHIB ADMINISTRATIVE DRIVING PROHIBITION S4.2 RVD	23OCT007	21JAN2008	11942

\*\*\*\* DRIVER UPDATED SUCCESSFULLY

0000 000 000 DRIVER SEARCH 0000 000

0 >> 7.16

bsc01.stw

Connected to bsc01.gov.bc.ca

3279-2E 5 hr 10 min Row 7 Col 16

### To remove a pending ADP:

If the prohibition has not taken affect, remove the PENDING ADP from the Drivers system.

1. In the entry field in top left, enter **XS [DL#]** and a space. Press **Enter**.

20/11/07 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: **s.22** 5 YR RENEWAL NAME: **s.22**

MASTER STATUS: NORMAL EFFECT DATE: 30JUN1999

ORIG. SECTION: 3 & 1 FILE REF:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

0 MASTER EXPANDED	EFFECT DATE	REVIEW DATE	STAT CODE
3 NORMAL PENDING ADMIN DRIVING PROHIBITION / OVER .98	10NOV2007	02DEC2007	0941a

\*\*\*\* ENTER TRANSACTION

1-SCID 2-GSP 3-DRIVER-SEARCH 4-BKWD 5-FWD

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## 2. Enter the following information:

- TXN TYPE: enter 'r' (for remove)
- STATUS CODE: enter either **0941a** (blow over) or **0941b** (refusal to blow)
- EFFECT DTE: enter the effective date as shown on the last line of text on the screen

3. Press **Enter** and verify the pending ADP has been removed.

20/11/07 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: **s.22** 5 YR RENEWAL NAME: **s.22**

MASTER STATUS: NORMAL EFFECT DATE: 30JUN1999

ORIG. SECTION: 3 & 1 FILE REF:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DTE: REVIEW DATE:

0 MASTER EXPANDED	EFFECT DATE	REVIEW DATE	STAT CODE
3 NORMAL PENDING ADMIN DRIVING PROHIBITION / OVER .98	10NOV2007	02DEC2007	0941a

\*\*\*\* DRIVER UPDATED SUCCESSFULLY

1-SCID 2-GSP 3-DRIVER-SEARCH 4-BKWD 5-FWD

Connected to bcs01.gov.bc.ca



**To remove an ADP or IRP already in effect:**

- 1.. For IRP or if the ADP is in effect) remove the status codes from XS.

Enter the following information:

- TXN TYPE: enter 'r' (for remove)
  - STATUS CODE: **enter the status code for the IRP (3, 7, 30 or 90 days)**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
  - TXN TYPE: enter 'r' (for remove)
  - STATUS CODE: **enter 00050 2 year short term**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
  - TXN TYPE: enter 'r' (for remove)
  - STATUS CODE: **enter 000ST reinstatement fee**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
  - TXN TYPE: enter 'r' (for remove)
  - STATUS CODE: **enter the status code for the IRP penalty fee(3, 7, 30 or 90days)**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
- Press Enter**

2. In the entry field in top left, enter **SUS [DL#]** and a space. Press **Enter**.  
Find the applicable prohibition you want to stay and on this line under TXN enter M to modify and press enter. In the END column enter the date of the stay (the date indicated by the Judge not the stamped date).
3. Complete an *OSMV System Update Requirement* form to uncanceled DL and under FUD restore DL expiry and licence (if there are no other prohibitions).
4. Fax the system update form to ICBC Adjudication Unit (604-978-8005).
5. Wait until ICBC has updated the system, then check that all requested changes have been made.
6. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
Notes for ADP # 228955 as of 20-Nov-2007							
10/10/2006 13:46:15	s.15		COQUITLAM LOUGHEED DSC				
REWRITTEN REVIEW OCT.18/06 13:00 -LAWYER - HOWARD SMITH PH# 604 535-7888-PLEASE FAX DISCLOSURE TO 604 535-7899							
10/10/2006 14:03:54	s.15		VICTORIA OSMV OSMV				
I found this ADP already on the system, linked notice bodi seized sent copy of DL request to ICBC							
11/10/2006 15:43:25	s.15		VICTORIA OSMV OSMV				
created file							
13/10/2006 14:33:24	s.15		VICTORIA OSMV OSMV				
Faxed lawyer disclosure							
16/10/2006 08:21:46	s.15		VICTORIA OSMV OSMV				
Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.							

Receipt Schedule Decision Print Save OK Cancel

7. Press **Add**.

8. Add the following comment **"Pending judicial review – consent order received dated XX – Stay prohibition up to and including XX (date) – Client has served ## of days and has ## days remaining. Client may attend the DLC to get a FREE DUPLICATE DRIVER'S LICENCE under ICBC's guidelines."** Press OK. The Comments will reappear. Press OK.

9. Press **Print**.

10. For IRP we must send a CPIC update to the police. Go to: **T:\ADP-VI\CPICUpdate Template** and enter the appropriate pertaining to the file and the police information. Get the correct fax number from **W:\Appeal Registry\CPIC – Police Fax Sheet** and fax to the police detachment. Put the fax and fax confirmation sheet in the file. You'll receive a copy back from the police confirming it has been done and add this to the file as well.

11. NOTE: In the rare case a consent order is received for an IRP within 30 days from the service date check to see if there is a VI because it's likely the vehicle is still impounded and you must release it. Contact the registered owner (RO) to advise who may also be the driver so advise LSB of this and either LSB will advise the client's counsel or get a phone number for the RO so the appeals registry can contact the person directly. On order of release is sent to the Impound Lot and OSMV will pay towing and storage up to including the date of contact.

### To update tracklog:

An Excel track log is used to track stays of prohibition and other court decisions.

1. In Excel, open **W:\Appeal Registry\Judicial Review\Judicial Review Tracklogs\New JR Tracklog July 2012** and enter and save the required information. (note the sample below is not the correct one)

s.15

NAME	DRIVER'S L	ADP #	STAY DATE	SITE	NOTES
DPF 00-252338			Sept. 4/07	1	Sept. 4/07 - Stay of prohibition until and including Oct. 12/07, or until further order of the
DPF 00-125112			Jun. 28/07	2	Oct. 2/07 - Mr. Justice Grier dismissed petition. Prohibition reimposed Oct. 2/07. Dec.
DPF 00-258549			June 2/07	2	Aug 17/07 - Notice of Discontinuance rec'd email per Bob M. 7 days served and 53 days
DPF 00-255891			May 14/07	2	July 20/07 Rehearing done - Unsuccessful review. Prohibition reimposed Aug 1/07 to 0
DPF 00-221598			May 11/07	1	Sept. 26/07 - Further stay of prohibition until and including May. 9/07, or until further order of
DPF 00-191251			Apr. 4/07	2	May 15/07 - Rehearing done - Unsuccessful review. Prohibition reimposed May 11/07
DPF 00-259006			Mar. 19/07	2	Jun. 21/07 - Petition dismissed Prohibition reimposed Jun. 21/07 - Sept. 12/07. 65 days
DPF 00-207589			Apr. 4/07	2	Aug 17/07 - Notice of Discontinuance rec'd email per Bob M. 10 days served and 50 do
DPF 00-209673			Feb. 2/07	2	July 26/07 - Per Bob M. Mr Justice Holmes dismissed the petition. Prohib back in effect
DPF 00-155552			FEB 12/07	2	June 12/07 - Notice of Discontinuance rec'd. 13 days served and 77 days remaining. R
DPF 00-246556			Apr. 5/07	1	Apr. 5/07 - Stay of Prohibition until and including Apr. 30/07, or until further order of the
DPF 00-244844			Apr. 16/07	1	Apr. 16/07 - Stay of prohibition until and including Jun. 15/07, or until further order of the
DPF 00-241973			Nov 29 06	2	Feb 8/ 2007 - Court dismissed petition. Re-imposed prohib for 76 days. Effective Jan 26
DPF 00-278042			May 20/07	2	Aug 17/07 - Notice of Discontinuance rec'd email per Bob M. 51 days served and 59 do
DPF 00-246197			Dec. 22/06	2	July 11/2007 - rehearing of adp done, unsuccessful review. Re-imposed prohib. 76 days
DPF 00-225435			Dec. 19/06	2	Dec. 21/06 - Petition dismissed Dec. 21/06. Prohibition reimposed Dec. 21/06 - Mar. 7/07
DPF 00-246447			Dec. 19/06	2	Feb 12/2007 Madam Justice Aernold Bailey dismissed petition. 60 days remaining to w
DPF 00-205978			Dec. 19/06	1	Jul. 12/07 - Further stay of prohibition until and including Sept. 28/07. 41 days served.
DPF 00-176101			Sep 18/06	2	Dec 14/06 - Court dismissed petition, stayed till 48 hrs. after judgement. 82 days remain
DPF 00-225454			Jan 31/07	2	Dec 14/06 - Reheard successful review, letter sent, system updated (Jan 23/07), rehard
DPF 00-248415			Jan 31/07	2	Feb 21/07 - Reheard adp, successful review, letter sent and rehard made by adjudicator
DPF 00-228955			Dec. 16/06	2	Mar. 31/07 - Notice of Discontinuance - prohibition reimposed (Mar. 31/07 - May 15/07) 15
DPF 00-241635			Nov. 30/06	2	Jan. 5/07 - Petition dismissed Jan. 5/07. Prohibition reimposed Jan. 5/07 - Mar. 15/07 10
DPF 00-190083			Jul 30-03	2	Nov 16, 2006 - Ct of Appeal - dismissed the appeal - prohib added back on for 85 days.
DPF 00-190083			Jul 30-03	2	(Ct of Appeal) - per Bob M. D168 end of March - Set for mid march
DPF 00-265606			Mar 30/06	2	Nov 16/06 order re Swap/Douglas received. Ct to serve Prohibition 90 days after
DPF 00-223709			Nov 30/06	2	Nov 16/06 - Ct of Appeal - dismissed the appeal - prohib added back on for 90 days. 1
DPF 00-125287			Jun 1/05	2	Mar. 13/07 - Court dismissed petition Mar. 13/07. Prohibition reimposed Mar. 13/07. No
DPF 00-240677			Oct 20/05	2	May 11/07 - Petition dismissed. Prohibition reimposed May 11/07 - Aug. 5/07 56 days to
DPF 00-275543			Aug 22/05	1	March 27/07 Court dismissed petition March 27/07. Prohibition reimposed March 27/07
DPF 00-275591			Jul 25/05	2	May 4/07 - Rehearing done - Unsuccessful review. Prohibition reimposed May 5/07 - Ju
DPF 00-207430			Jul 11/04	2	May 15, 2006 - Appeal for Bable dismissed - Client in zone remaining prohib 13 days to
DPF 00-215438			Dec. 1/05	2	Nov 16/06 order re Swap/Douglas received. Ct to serve remainder of prob 60 day

### To process a further stay of prohibition:

A further order staying the ADP/IRP may be received by email from the Legal Services Branch. For more information on each of these steps, see the tasks above.

1. Get the file from the judicial review from the JR area in appeals registry.
2. Update the Judicial Review Tracklog (see "To update tracklog") indicating the date of the new order and when the prohibition is stayed to in the comments section.
3. Update the ADP/VI **Comments** screen to indicate the date of the new order and when the prohibition is stayed to.
4. If the court order was not sent, request a copy from LSB. Update **Comments** in the task list that you have requested a copy of the court order.
5. Check Driver's system to ensure client has a valid DL as it may have expired. If client doesn't have a valid DL you may address this in your email to LSB.
6. Send a reply to all to the original email stating if this is the case: 'DL has been updated and the client may attend the DLC to get a free duplicate DL under ICBC guidelines' or if there is an issue with the client's DL address this in the email.
7. Update worksheet on left side of file with new stay information.
8. File the judicial review file in the JR area in the appeals registry.

#### NOTE:

In the rare case where a client has gone through the JR process and was unsuccessful in a rehearing they may proceed to another Notice of Petition. We will receive an email from LSB advising of this and you will need to go to the appropriate procedures to start the process again.

## Driver Loses Judicial Review

The Driver Loses Judicial Review procedure includes the following tasks:

- To update file
- To request a system update from ICBC
- To prepare letter advising the driver that the prohibition was reimposed
- To update Drivers system
- To update ADP system
- To update tracklog

OSMV is notified of the results of a judicial review by email from Legal Services Branch.

### To update file:

The first step is to update the file with the results of the judicial review.

1. Get the file from the pending judicial review file area in the appeals registry.
2. Print a copy of the email for the file.
3. In Drivers system, enter the driver's DL# and press **Enter**.

04/11/07 DRIVERS LICENCE DISPLAY SCREEN 01

LICENCE: s.22 STATUS: NORMAL FILE REF: F000000  
 TYPE: 5 YR RENEWAL KEYWORD: SUNGA SEX: MALE  
 BIRTHDATE: s.22 ADDRESS: 500 MOS LICENCING  
 EXPIRY DT: 23JUL2009 ADDRESS DATE: 11MAY1989  
 CLASS: 500 LAST EXAM DT: 11JAN1993  
 RESTRICT: 15 20 LAST MED DT: 07NOV2006  
 LAST CANCEL DT:  
 HEIGHT: 175CM WEIGHT: 684.0KG EYE COLOUR: BROWN HAIR COLOUR: BLACK  
 PRIMARY ID: s.22 DRIVER'S LIC: s.22 SECONDARY ID: OTHER  
 PREV NAME: s.22

3 NORMAL MEDICAL CONDITION ED 17MAY2007 RD 07NOV2011  
 3 NORMAL MEDICAL FILE EXISTS AT OFF. OF SUPV. ED 08DEC2004 RD 08DEC2009  
 3 NORMAL MEDICAL FILE RELEASE DURING ED 17MAY2007 RD 17NOV2007

\*\*\* PRESS PF 8 FOR ADDITIONAL INFORMATION  
 F1: BOLD F2: DRIVER SEARCH F3: BROW F4: FWD F5: DASH

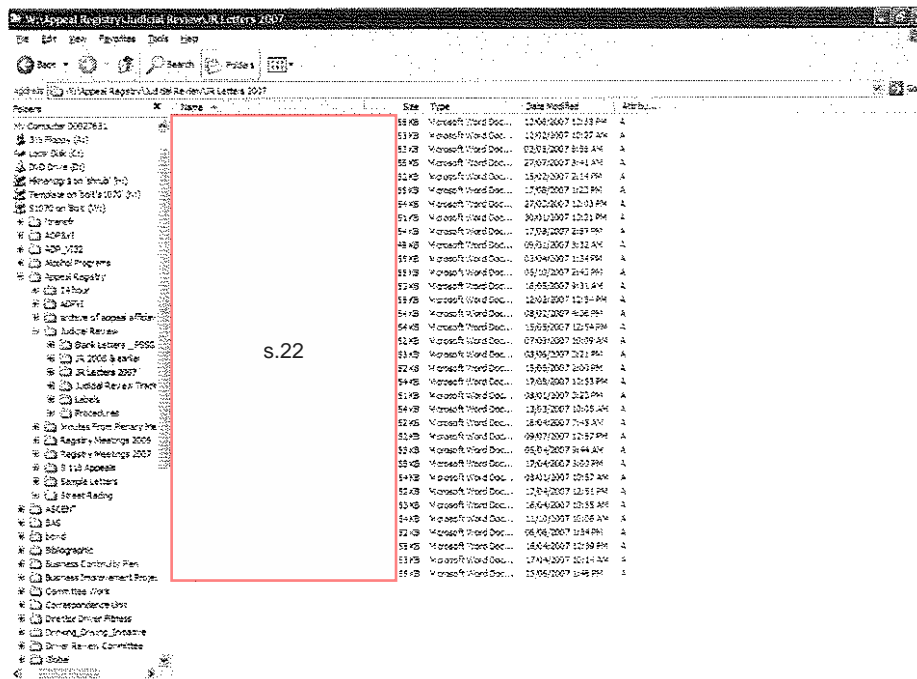
bcsc01.stw  
 Connected to bcsc01.gov.bc.ca

4. Check the worksheet at the front of the file to confirm that the number of days the prohibition was stayed is correct. Subtract the number of days already served from 90 days for ADP and 91 for IRP to determine the number of days remaining to be served. Do your workings on the worksheet.
5. In the **Comments** box on the worksheet, indicate the date the order was vacated, expired, or abandoned (as appropriate).
6. Mark on the worksheet (middle box) the start and end dates of the prohibition. Use the Julian calendar.



**To prepare letter advising the driver that the prohibition was reimposed:**

1. Go to **w:\Appeal Registry\Judicial Review\Blank Letters\_PSSG\JR TEMPLATES2** and select the most appropriate letter for the circumstances.
2. Create the letter inserting the required information.
3. Put your initials at the bottom of the letter.
4. Check the letter over and make any required changes. Print two copies and an envelope.
5. Save the letter to **w:\Appeal Registry\Judicial Review\JR Letters current year**. Name the letter as follows: **ad [adp# or irp# number] [last name] [type of letter]**



6. Mail a copy of the letter to the driver and place a copy in the file.
7. Prepare a fax cover sheet and fax a copy of the letter to the lawyer. Put the fax and transmittal sheet in the file.

**To update Drivers system:**

1. In Drivers system, enter the driver's DL# and press Enter.

SmartTerm [bsc01.stw]

PR/11/07 DRIVER'S LICENCE DISPLAY SCREEN 01

LICENCE **s.22** STATUS PROHIB FILE REF  
 TYPE CANCELLED KEYWORD PFINGST SEX MALE  
**s.22** BIRTHDATE **s.22** ADDRESS SAGE MOS LICENCING  
 EXPIRY DT 000000000 ADDRESS DATE 26APR2007  
 CLASS 500 LAST EXAM DT 26APR2007  
 RESTRICT NONE LAST MD DT  
 LAST CANCELL DT 23OCT2007

PROV/STATE: **s.22** ID 1 F01000C9122  
 HEIGHT: 185CM WEIGHT: 878.0KG EYE COLOUR: BLUE HAIR COLOUR: GREY  
 PRIMARY ID: **s.22** SECONDARY ID: **s.22**

2 NORMAL 2 YR SHORT TERM DRIVER'S LICENCE REV'D ED 23OCT2007 RD 23OCT2012  
 3 NORMAL \$100 REINSTATEMENT FEE REQUIRED FN 23OCT2007 RD 23OCT2012  
 2 PROHIB ADMINISTRATIVE DRIVING PROHIBITION 94.2 MVR ED 23OCT2007 RD 21JAN2008

\*\*\* PRESS PF 8 FOR ADDITIONAL INFORMATION  
 F1-BCID F2-DRIVER SEARCH F3-BCND F4-FND F5-DXN

bsc01.stw  
 Connected to bsc01.gov.bc.ca

2. Check to see that the prohibition has been reimposed.
3. In the entry field in top left, enter **XS [DL#]** and a space. Press **Enter**.
4. Add status codes to the DL for ADP or IRP to reimpose the balance of remaining prohibition term.
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the ADP (90 days)**
  - EFFECT DTE: enter the effective date which is the date on the court order
  - REVIEW DTE: the end date of the ADP
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the IRP (90 days)**
  - EFFECT DTE: enter the effective date which is the date on the court order
  - REVIEW DTE: the end date of the IRP
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter 00050 2 year short term**
  - EFFECT DTE: enter the effective date
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter 000ST reinstatement fee**
  - EFFECT DTE: enter the effective date
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the IRP penalty fee(90days)**
  - EFFECT DTE: enter the effective date
  - **PRESS ENTER**

5. In the entry field in top left, enter **SUS (DL#)**. Press **Enter** – A (add) the remaining balance of the prohibition. Enter the prohibition status code of the ADP or IRP, the start date of the reimposed prohibition and the end date.
6. In the entry field in top left, enter **CAN (DL#)**. Press **Enter**. The cursor will automatically go to the correct field. In this field enter the date of the reimposed prohibition, press the down arrow to the appropriate line of the licence you want to cancel (this should be the duplicate DL the client received at the time of the stay of the prohibition) and enter **X**, **enter**.
7. Remove the pending judicial review status:
  - TXN TYPE: **r**
  - STATUS CODE: **0Opjr** or **0pjri**(first digit is a zero)
  - EFFECT DTE: (effective date)
  - REVIEW DTE: (leave default)
8. Press **Enter**. The screen will display indicating that the driver's record has been updated successfully. Print the screen and place in the file.
9. Advise the **PSSG OSMV Jr Petitions Team** by email that the IRP/ADP has been put on the DL for the remaining term of the prohibition and a reminder to RDP/IIP to add their status codes etc.

### To update ADP system:

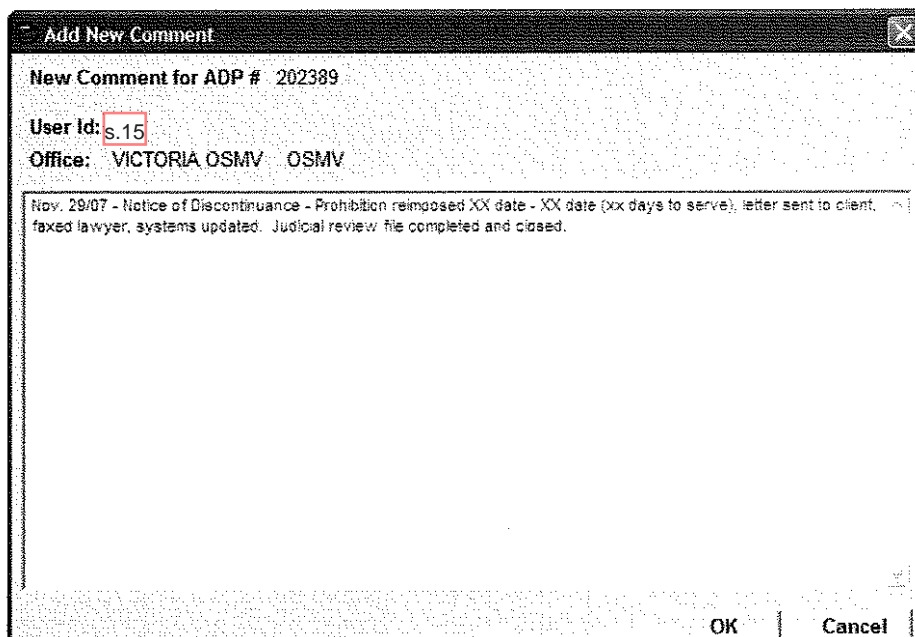
1. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	SAC	Admin
Notes for ADP # 228955 as of 20-Nov-2007							
10/10/2006 13:45:16	S.15	COQUITLAM LOUGHEED	DSC				
REVITTEN REVIEW OCT 18/06 13:00-LAWYER - HOWARD SMITH PH# 604 535-7688-PLEASE FAX DISCLOSURE TO 604 535-7688							
10/10/2006 14:03:54	S.15	VICTORIA OSMV	OSMV				
I found this ADP already on the system, linked notice bcd realized sent copy of DL request to ICBC							
11/10/2006 15:43:25	S.15	VICTORIA OSMV	OSMV				
created file							
13/10/2006 14:33:24	S.15	VICTORIA OSMV	OSMV				
Faxed lawyer disclosure							
16/10/2006 08:21:46	S.15	VICTORIA OSMV	OSMV				
Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.							

Buttons: Receipt, Schedule, Decision, Print, Save, OK, Cancel

2. Press **Add**.
3. In the **Add New Comment** screen add comments like: "[Date] - Notice of Discontinuance or what it is (see the court document) – Prohibition reimposed XX date – XX date (XX days to serve), letter sent to client, faxed lawyer, DL updated updated and the JR team emailed. Judicial review file completed and closed."



**Add New Comment**

New Comment for ADP # 202389

User Id: s.15

Office: VICTORIA OSMV OSMV

Nov. 29/07 - Notice of Discontinuance - Prohibition reimposed XX date - XX date (xx days to serve), letter sent to client, faxed lawyer, systems updated. Judicial review file completed and closed.

OK Cancel

**To update tracklog:**

An Excel track log is used to track stays of prohibition and other court decisions.

1. In Excel, go to **W:\Appeal Registry\Judicial Review\Judicial Review Tracklogs\NEW JR TRACKLOG JULY 2012** and enter information under the appropriate client.
2. Save the changes and exit.
3. Place the file with the other completed judicial reviews in the front reception area.



## Superintendent Loses Judicial Review

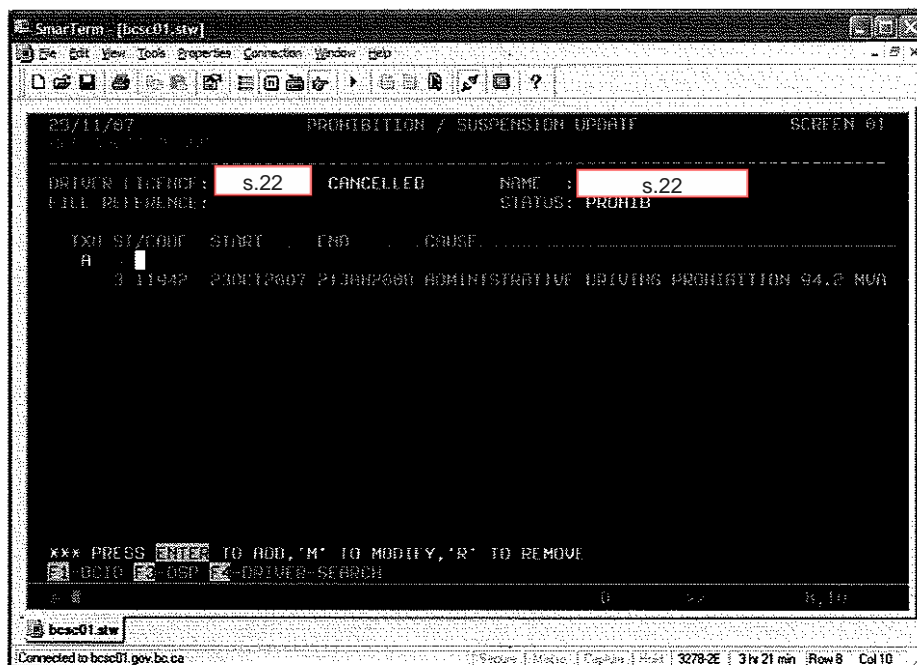
The Superintendent Loses Judicial Review procedure includes the following tasks:

- To update Drivers system
- To prepare letter advising the driver that the prohibition was removed
- To refund the review fee
- To update ADP system
- To update tracklog

OSMV is notified of the results of a judicial review by email from the Legal Services Branch.

### To update the Drivers system:

1. Print a copy of the Legal Services email for the file.
2. Get the file from the pending judicial review section in the appeal registry.
3. In the Drivers system, enter the driver's DL# and press **Enter**. (Since there likely would have been a stay of the prohibition and the client should have a valid DL there shouldn't be prohibition status codes in XS).
4. Go to XS and remove the following information: (and any other codes applicable to the prohibition if any)
  - TXN TYPE: r
  - STATUS CODE: 0OPJR (ADP) or 0PJRI (IRP) (first digit is a zero)
  - EFFECT DTE: date on system
  - REVIEW DTE: (leave default)
  - Press enter and F3
5. In the entry field in the top left, enter **SUS** and press **Enter**.

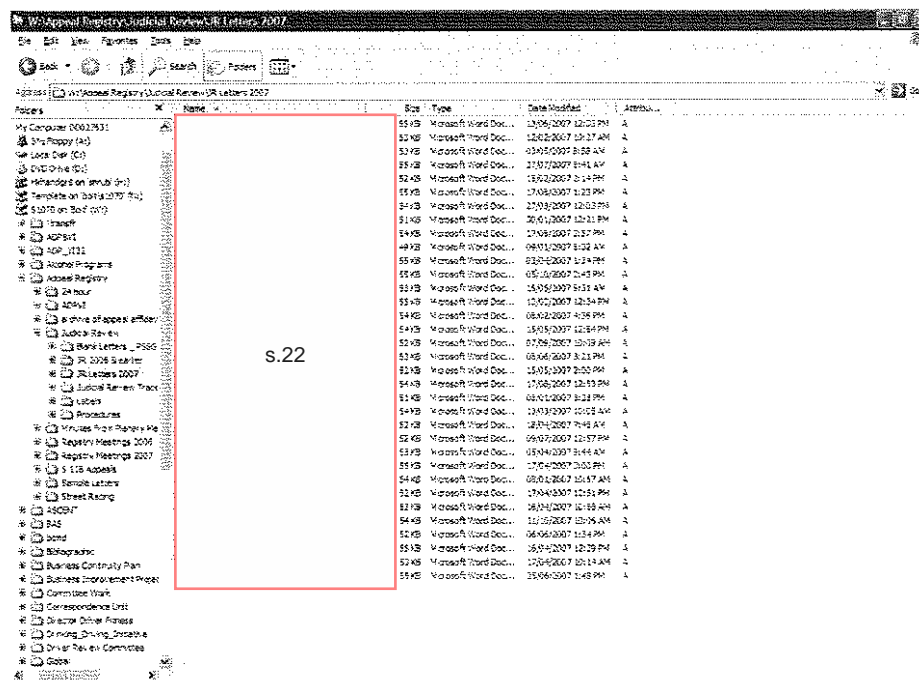


6. Find the applicable prohibition you want to delete and on this line under TXN enter R to remove and press enter twice.

7. Check to see if the client has a valid DL from the stay. If it's expired or such address this in the letter.
8. Go to the main screen and press PRT to print a copy of the driving record and place in the file.

### To prepare letter advising driver that the prohibition was removed:

1. Go to **w:\Appeal Registry\Judicial Review\Blank Letters\_PSSG\JR TEMPLATES2** and select the most appropriate letter for the circumstances. You may need to amend the information to address the situation – use your discretion.
2. Create the letter advising the driver of the circumstances and that the prohibition has been removed from the driver's record. Print two copies of letter plus envelope.
3. Save the letter to **w:\Appeal Registry\Judicial Review\JR Letters current year**. Name the letter as follows: **ad [#adp or #irp number] [last name] [type of letter]**



4. Mail a copy of the letter to the driver and place a copy in the file.
5. If applicable prepare a fax cover sheet and fax a copy of the letter to the lawyer. Add to file with fax transmission sheet.
6. Advise the **PSSG OSMV Jr Petitions Team** by email that the JR was in client's favour.
7. If ADP only the review fee should be refunded – refer to next section.

### To refund the review fee for ADP only:

1. Go to **w:\Appeal Registry\ADPVI\Scheduling forms&adpVi: checklist** and open "Refund form."

Refund form July 06.doc - Microsoft Word

Insurance Corporation of British Columbia

REFUND REQUEST

DATE: November 29, 2007

TO: REVENUE ADMINISTRATION SECTION - REFUNDS UNIT

THIS AREA TO BE COMPLETED BY THE REFUNDING PARTY

If copy required, photocopy before submitting. BACK-UP MUST BE ATTACHED

DESCRIPTION OF REFUND

AD: Admin Driving Permit Review

MAKE CHECK PAYABLE TO: NOTE IF CHECK TO A LAWYER - INDICATE LAWYER'S CLIENT ID-UP ON SYSTEM AND NAME WITH BACK-UP OF THE PAYEE

CLIENT NO ONLY IF PAYEE IS DIFFERENT

ADDRESS REFERENCE IF ADDRESS IS DIFFERENT FROM OURS

DATE: 11/29/07

SIGNATURE: [Signature]

DATE: 11/29/07

Page 1 Sec 1 1/1 4x6 cm 1x4 Col 1 100% English US 12

2. Fill in the form online to refund the review fee to the driver. Print two copies of the form and exit.
3. Make a photocopy of the ADP application and
4. Put the second copy of the refund form and the review application in the Team Lead's inbox to process.

**To update ADP system:**

1. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver | ADP | Review | **Comments** | Events | Faxes | BAC | Admin

Notes for ADP # 228955 as of 20-Nov-2007

10/10/2006 13:45:15 s.15 COQUITLAM LOUGHEED DSC  
 REWRITTEN REVIEW OCT 18/06 13:00 -LAWYER - HOWARD SMITH PH# 604 535-7688-PLEASE FAX DISCLOSURE TO 604 535-7689

10/10/2006 14:03:54 s.15 VICTORIA OSMV OSMV  
 I found this ADP already on the system, linked notice bcd/seized sent copy of DL request to ICBC.

11/10/2006 15:43:25 s.15 VICTORIA OSMV OSMV  
 Created file

13/10/2006 14:33:24 s.15 VICTORIA OSMV OSMV  
 Faxed lawyer disclosure.

16/10/2006 08:21:48 s.15 VICTORIA OSMV OSMV  
 Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.

Receipt | Schedule | **Decision** | Print | Save | OK | Cancel

2. Press **Add**.
3. In the **Add New Comment** screen, enter "[Date] – Order received – [Describe what happened]". Letter sent to client, faxed to lawyer, systems updated, review fee refund initiated (for ADP only). Judicial review file completed and closed."

Add New Comment

New Comment for ADP # 241221

User Id: s.15

Office: VICTORIA OSMV OSMV

Nov. 29/07 - Order received - Judge declared a nullity, this prohibition removed from driving record. Letter sent client, faxed lawyer, systems updated, review fee refund initiated. Judicial review file completed and closed.

OK | Cancel

**To update tracklog:**

An Excel track log is used to track stays of prohibition and other court decisions.

1. In Excel, go to **W:\Appeal Registry\Judicial Review\Judicial Review Tracklogs\NEW JR TRACKLOG JULY 2012** and open the file.
2. Find the prohibition information and add comments to indicate a description of the court decision and file closed etc.
3. Save the changes and exit.
4. Place the file with the other completed judicial review files at front reception.



## Court Orders Re-hearing

The Court Orders Re-hearing procedure includes the following tasks:

- To set up the re-hearing and prepare the re-hearing sheet
- To update ADP system comments
- To print ADP review decision screen

OSMV is notified of the need for a re-hearing with an email from the Legal Services Branch (LSB) office.

If the judge did not specify that the original adjudicator must re-hear the review, the file is given to another adjudicator.

### To set up the re-hearing:

1. Print a copy of the email from LSB and consent order for the file.
2. Get the file from the JR section in appeals registry.
3. Check the Schedule Maintenance system to arrange for a review date and time in the future. Usually the consent order indicates the decision must be made within a certain time period of the date on the order. Make sure you leave enough time for disclosure to be received, the lawyer to review it and make submissions, and for the adjudicator to make a decision.
4. Once you have a general date and time, contact the lawyer to arrange a specific date and time for the review. Advise that you will confirm the date and time by fax, and that you will send a copy of the disclosure documents.

**NOTE:** if the prohibition is still in effect on the BCDL the client may have a temporary DL up to and including the end of the date the decision must be made. You can advise the client's counsel of this but also add it to the fax cover sheet and ensure you make comments in the file to let ICBC know. Refer to the procedures for: **4-2 Receiving Notice of Stay of Driving Prohibition v2 To remove an ADP or IRP already in effect on the DL**

5. Make a screen print of the ADP screen and the review decision screen and (see **To print ADP review decision screen**) and mark on it "First Review – DO NOT DESTROY", and place it in the envelope with documents from step 7.
6. Make a copy of the disclosure documents from the first review because these will be used as disclosure for the rehearing. Place the original first review disclosure documents, submissions, decision letter, and any other material relating to the judicial review into a brown envelope and mark it "First Review – DO NOT OPEN." Put IRP or ADP number on the front, client's name and counsel, new review date and time and the adjudicator conducting the review when advised.
7. Prepare a pink re-hearing sheet, go to **W:\Appeals Registry\Judicial Reviews\Blank Letters\_PSSG\JR TEMPLATES** and open the file "Adjudicator re-hearing form judicial review form.doc." (It can be print it off and handprint the information)
8. Add the applicant's name, ADP/IRP#, the lawyer's name, the date and time of the review, and the new prohibition date if review is unsuccessful.

9. Print a copy and exit without saving. Staple the re-hearing sheet to the outside of file cover.
10. Prepare the fax cover sheet. Go to **W:\Appeal Registry\Judicial Review\RE-HEARING FAX COVER Sheet** and open file –Per Kathy and LSB on Jan 26/11 – for IRP – disclosure is to include VI documents (if the vehicle was impounded and we have the documents) if it was not included the first time and are part of the page number count. Note: if the IRP is prior to June 15/12 and disclosure in the file includes the ASD info sheet from February 2011 replace it with the ASD info sheet from August 2011– go to: **W:\Appeal Registry\ADPVI\Scheduling Forms& adpVi checklists\ Superintendent's Report on ASD's August 2011**
11. Fax the disclosure documents to the lawyer.
12. Place the faxed disclosure documents and the fax confirmation sheet in the file.
13. Go to **W:\Appeals Registry\Judicial Review\Blank Letters\_PSSG\JR TEMPLATES** and open the file **Amended Adjudicator Information on Rehearing.dot**. Complete the re-hearing track sheet with information on the file.

**ADJUDICATOR PLEASE READ THIS**  
**PLEASE KEEP WITH FILE**

Date: November 29, 2007

Driver's Licence #:

Administrative Driving Prohibition (ADP) No. 00-

Re-hearing scheduled to - with:

Applicant has already served: days of the prohibition. days remaining to serve:

If prohibition goes into effect the effective date is: - Confirm dates:

Need to amend the last section of the letter to indicate that: days already served: days remaining to serve:

Verbage:

I therefore confirm your driving prohibition, as required by s. 94.5 of the Motor Vehicle Act. You are prohibited from driving for 90 days. However, as you have already served: days of your prohibition, you must serve the remaining: days. Your driving prohibition commences. Due to this prohibition, the Insurance Corporation of British Columbia has canceled your driver's licence under section 61 of the Motor Vehicle Act. You may resume driving on: once you have obtained a driver's licence from the Insurance Corporation of British Columbia.

If necessary that you surrender any driver's licence in your possession to the Insurance Corporation of British Columbia, P.O. Box 3750, Victoria BC, V8W 3Y3.

**ADP Review Decision TAB**

Under Date Reviewed: Enter date decision was made:

Under Decision: Enter Decision Result:

Under Mailed Date: Enter Date Letter mailed/faxed:

14. A macro will guide you through a series of questions. Check the sheet, make any required changes, and print a copy. **(Make changes to reflect IRP info (section of the MVA))**. Close the file without saving. Staple the sheet to the inside front cover of the file.
15. Update the ADP **Comments** screen (see "To update ADP system").

16. Give the file with the brown envelope in the file to the Adjudicator Team Lead who will assign an adjudicator to conduct the rehearing and give the file back to you to give to the person preparing the file for the reviews on the day of the rehearing.
17. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver | ADP | Review | **Comments** | Events | Faxes | BAC | Admin

Notes for ADP # 228955 as of 20-Nov-2007

10/10/2006 13:45:15 s.15 COQUITLAM LOUGHEED DSC  
REWRITTEN REVIEW OCT 18/06 13:00 -LAWYER - HOWARD SMITH PH# 604 535-7688-PLEASE FAX DISCLOSURE TO 604 535-7699

10/10/2006 14:03:54 s.15 VICTORIA OSMV OSMV  
I found this ADP already on the system, linked notice local seized sent copy of DL request to ICBC

11/10/2006 15:43:25 s.15 VICTORIA OSMV OSMV  
created file

13/10/2006 14:33:24 s.15 VICTORIA OSMV OSMV  
Faxed lawyer disclosure

15/10/2006 08:21:46 s.15 VICTORIA OSMV OSMV  
Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.

Buttons: Receipt | Schedule | Decision | Print | Save | OK | Cancel

18. Press **Add**.

Add New Comment

New Comment for ADP # 241221

User Id: s.15

Office: VICTORIA OSMV OSMV

Apr. 17/07 - Received Order dated Mar. 27/07 - requesting rehearing be held within 21 days of the date of the Order, unless the Superintendent is unable to send the decision within this period in which case the Superintendent may extend this period pursuant to Section 94.6(4) of the Act.

Notice of Extension sent to client, faxed to lawyer, prohib extended to May 9/07. Systems updated, faxed disclosure to lawyer. Oral Rehearing scheduled for May 17/07 @ 2 pm.

Client has served 23 days, 67 days remaining to serve. Prohibition to be reimposed May 9/07 - Jul. 15/07.

Return file to Arnie or Nina once review is completed.

Buttons: OK | Cancel

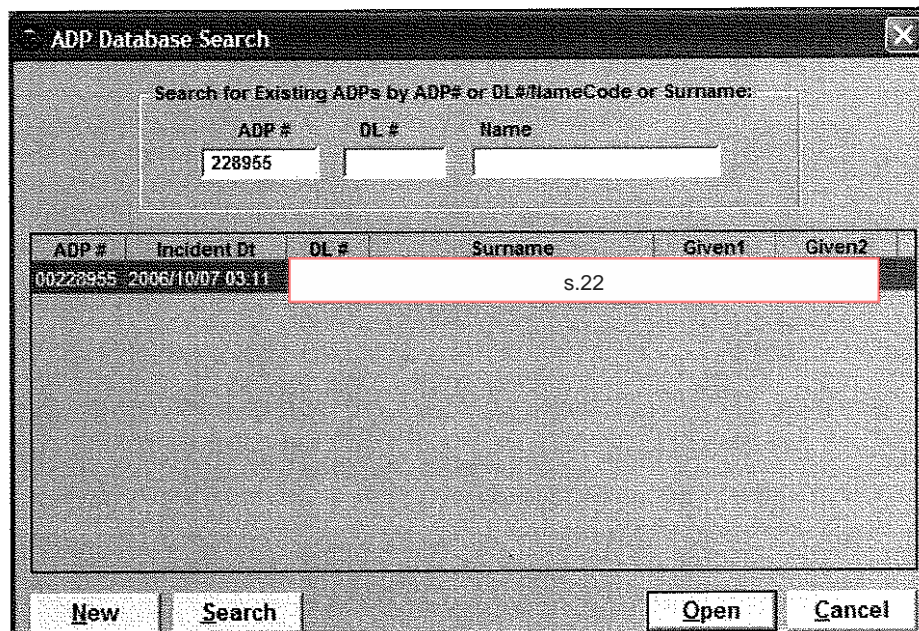
19. In the **Add New Comment** box, enter comments to indicate that a consent order was received to rehear the review, spoke to the lawyer and scheduled date and time. Disclosure faxed to the lawyer. Adjudicator \_\_\_ has been assigned to conduct the review.
20. Press **Print**.

**To print ADP/IRP review decision screen:**

1. Open ADP/VI and press **ADP**.

ADP #	Incident Dt	DL #	Surname	Given1	Given2
-------	-------------	------	---------	--------	--------

2. Enter the ADP/IRP # from the email. Press **Search**.



ADP Database Search

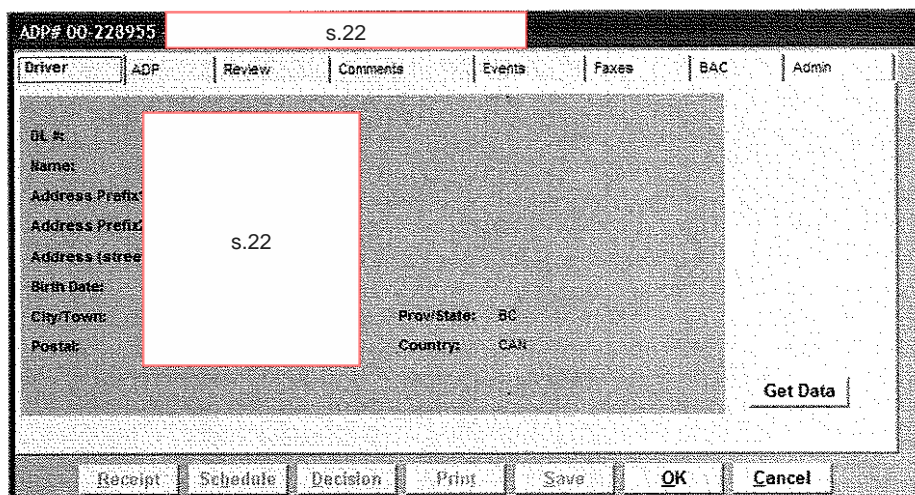
Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

ADP # 228955 DL # Name

ADP #	Incident Dt	DL #	Surname	Given1	Given2
00228955	2006/10/07 03:11		s.22		

New Search Open Cancel

3. Verify that you have the correct person. Press **Open**.



ADP# 00-228955 s.22

Driver ADP Review Comments Events Faxes BAC Admin

DL #:  
Name:  
Address Prefix:  
Address Prefix:  
Address (street):  
Birth Date:  
City/Town:  
Postal:

s.22

Prov/State: BC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

4. Press **ADP** tab and take a screen print using Snagit.



ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
ADP #:		00-228955		Status: Active			
DL Seizure Method:		Seized by Police					
Incident Date:		2006/10/07 03:11					
Incident Street/Hwy:		VICTORIA RD					
City/Town:		REVELSTOKE					
Section:		94.1B - Refuse to prov					
Peace Officer's Name:		CST C. SCHNEIDER					
PIN/Badge #:		52153					
Enforcement Agency:		Revelstoke					
Agency File #:		2006-3919					
Service Date:		2006/10/07					
Prohibition Effective Date:		2006/10/29					

Receipt Schedule Decision Print Save OK Cancel

5. Press the **Review** tab.

ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
Application Type:		ADP					
Application Date:		2006/10/14					
Review Type:		Written review					
Contact Name:		Howard Smith (lawyer)				(804) 535-7688	
Date Of Review:		2006/10/26		Time Of Review:		17:00:00	
Date Reviewed:		2006/10/27		Actual Review Type:		Written review	
Decision:		Unsuccessful					
Mailed Date:		2006/10/27		Grounds for Review:		Driver did not fail or refuse to provide sample	
Phoned Date:		0000/00/00		(804) 535-7688			
Reviewing Officer:		brenda					
Review Centre:		OSMV - ADP Reviews (250) 367-7747					

Receipt Schedule Decision Print Save OK Cancel

6. Take a screen print using Snagit.

**Successful Re-hearing**

The Successful Re-hearing procedure includes the following tasks:

- To check ADP system
- To check Drivers system
- To update ADP system
- To update tracklog

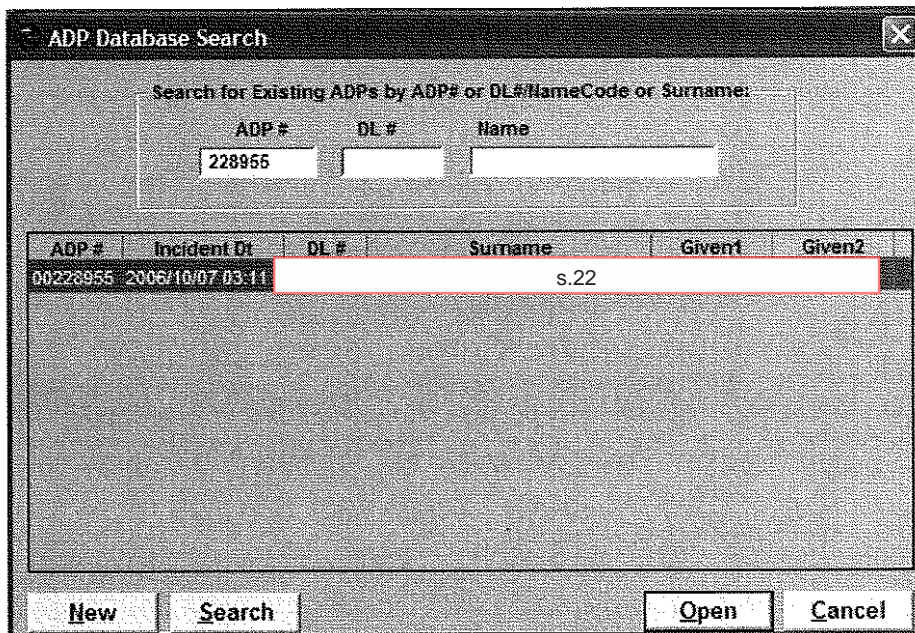
Following the re-hearing, the adjudicator returns the file to the Appeal Registry who will advise the JR Team of the result of the rehearing. The adjudicator should have done updated all records.

**To check ADP system:**

1. Open ADP/VI and press **ADP**.

ADP #	Incident Dt	DL #	Surname	Given1	Given2
-------	-------------	------	---------	--------	--------

2. Enter the ADP/IRP# from the email. Press **Search**.



ADP Database Search

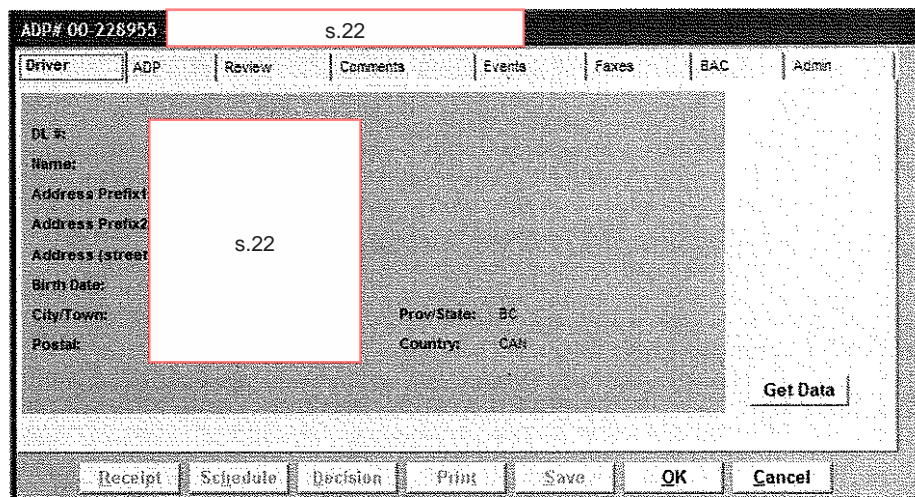
Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

ADP # 228955 DL # Name

ADP #	Incident Dt	DL #	Surname	Given1	Given2
00228955	2006/10/07 03:11		s.22		

New Search Open Cancel

3. Verify that you have the correct person. Press **Open**.



ADP# 00-228955 s.22

Driver ADP Review Comments Events Faxes BAC Admin

DL #:  
Name:  
Address Prefix1:  
Address Prefix2:  
Address (street):  
Birth Date:  
City/Town:  
Postal:

s.22

Prov/State: BC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

4. Press **ADP** tab.



ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
ADP #:	00-228955	Status:	Active				
DL Seizure Method:	Seized by Police						
Incident Date:	2006/10/07 03:11						
Incident Street/Highway:	VICTORIA RD						
City/Town:	REVELSTOKE						
Section:	84.1B - Refuse to prov						
Peace Officer's Name:	CST C. SCHNEIDER						
PI#/Badge #:	52153						
Enforcement Agency:	Revelstoke						
Agency File #:	2006-3915						
Service Date:	2006/10/07						
Prohibition Effective Date:	2006/10/29						

Receipt Schedule Decision Print Save OK Cancel

5. Press the **Review** tab.

ADP# 00-236654 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
Application Type:	ADP						
Application Date:	2006/11/16						
Review Type:	Oral review						
Contact Name:	s.22	s.22					
Date Of Review:	2006/11/27	Time Of Review:	10:00:00				
Date Reviewed:	2006/11/28	Actual Review Type:	Oral review				
Decision:	Successful	Grounds for Review:	Driver was not over .08 BAC				
Mailed Date:	2006/12/14						
Phoned Date:	0000/00/00	s.22					
Reviewing Officer:	Brenda						
Review Centre:	OSM - ADP Reviews	(250) 387-7747					

Receipt Schedule Decision Print Save OK Cancel

6. Verify details of the successful re-hearing.

### To check Drivers system:

1. Check the Drivers system to ensure that any statuses referring to the prohibition are removed. In the Drivers system, enter the driver's DL# and press **Enter**.
2. In the entry field in the top left, enter XS and space and press enter. Ensure there's no evidence of the prohibition.
3. In the entry field in the top left, enter **SUS** and press **Enter**.

SmartTerm - [bsc01.stw]

File Edit View Tools Properties Connection Window Help

7/9/11/07 PROHIBITION / SUSPENSION UPDATE SCREEN 01

DRIVER LICENSE: s.22 CANCELLED NAME : s.22

FILE REFERENCE: STATUS: PROHIB

TXN ST/CDN START END CAUSE

3 11942 220012087 210AM2088 ADMINISTRATIVE DRIVING PROHIBITION 94.2 MON

\*\*\* PRESS ENTER TO ADD, 'M' TO MODIFY, 'R' TO REMOVE

10000 DSP DRIVER SEARCH

bsc01.stw

Connected to bsc01.gov.bc.ca

Group: Main | Control: Mod | 3278-2E | 3 hr 21 min | Row 8 | Col 10

4. Check to see if the prohibition has been removed.
5. Ensure the DL hasn't been cancelled as a result of the prohibition. If so fax a status update sheet to ICBC to uncanceled the DL, restore DL expiry & licence type.

### To update ADP system:

1. In ADP system, press the **Comments** tab.

ADP# 00-228955 s.22

Driver ADP Review Comments Events Faxes BAC Admin

Notes for ADP # 228955 as of 20-Nov-2007

10/10/2006 13:45:15 s.15 COQUITLAM LOUGHEED OSC

REWRITTEN REVIEW OCT 18/06 13:00 - LAWYER - HOWARD SMITH PH# 604 535-7688- PLEASE FAX DISCLOSURE TO 604 535-7699

10/10/2006 14:03:54 s.15 VICTORIA OSMV OSMV

I found this ADP already on the system, linked notice body seized sent copy of DL request to ICBC

11/10/2006 15:43:25 s.15 VICTORIA OSMV OSMV

created file

13/10/2006 14:33:24 s.15 VICTORIA OSMV OSMV

Faxed lawyer disclosure.

16/10/2006 08:21:48 s.15 VICTORIA OSMV OSMV

Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.

Receipt Schedule Decision Print Save OK Cancel

2. Check to make sure the adjudicator made their comments and they include outcome of review and all the follow up actions taken, etc. If not, take the file back to the adjudicator to do so.



3. Press **Add**.
4. In the **Add New Comment** screen, add the file is now completed and closed.

**Add New Comment**

New Comment for ADP # 236654

User Id: **s.15**

Office: VICTORIA OSMV OSMV

Successful Rehearing review completed. Decision letter sent to client, faxed lawyer, systems updated, prohibition removed from the system. Judicial review file completed and closed.

OK Cancel

5. Press **OK**.
6. Email the JR TEAM @ PSSG OSMV Jr Petitions Team to let them know the outcome of the re-hearing. Include the ADP/IRP#, applicant's name, and the date of the re-hearing.

### To update tracklog:

An Excel track log is used to track stays of prohibition and other court decisions.

1. In Excel, go to **W:\Appeal Registry\Judicial Review\Judicial Review Tracklogs\NEW JR TRACKLOG JULY 2012** and enter information under the appropriate client.
2. Save the changes and exit.
3. Place the file with the other completed judicial review files above the cabinets in the front reception.

## Unsuccessful Re-hearing

The Unsuccessful Re-hearing procedure includes the following tasks:

- To check ADP system
- To check Drivers system
- To request a system update from ICBC
- To update ADP system
- To update tracklog

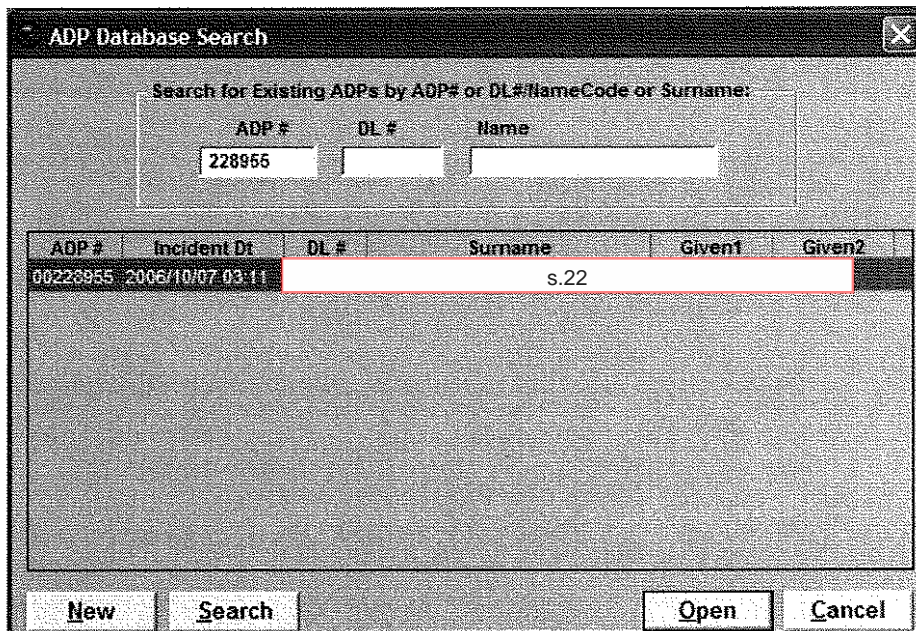
Following the re-hearing, the adjudicator returns the file to the Appeal Registry. The first step is to review the ADP system to confirm that the re-hearing was unsuccessful.

### To check ADP system:

1. Open ADP/VI and press **ADP**.

ADP #	Incident Dt	DL #	Surname	Given1	Given2
-------	-------------	------	---------	--------	--------

2. Enter the ADP/IRP# from the email. Press **Search**.



ADP Database Search

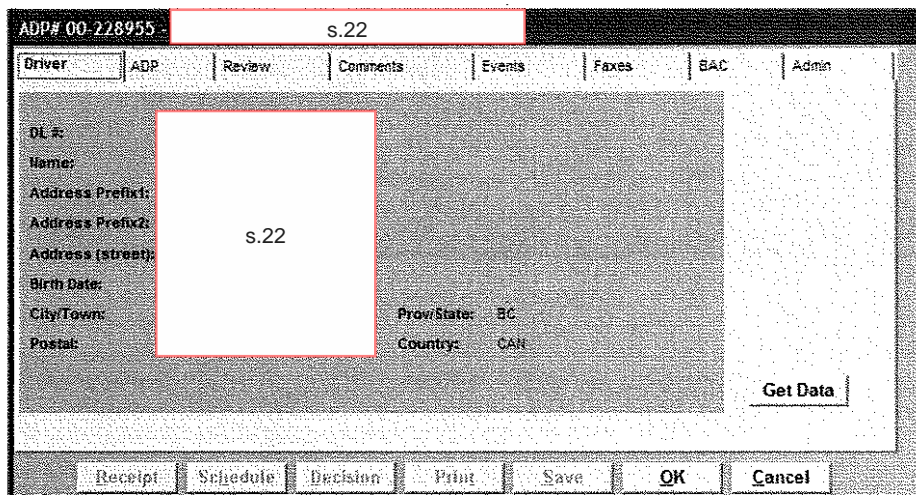
Search for Existing ADPs by ADP# or DL#/NameCode or Surname:

ADP #	DL #	Name
228955		

ADP #	Incident Dt	DL #	Surname	Given1	Given2
00228955	2006/10/07 03:11		s.22		

New Search Open Cancel

3. Verify that you have the correct person. Press **Open**.



ADP# 00-228955 - s.22

Driver ADP Review Comments Events Faxes SAC Admin

DL #:  
Name:  
Address Prefix1:  
Address Prefix2:  
Address (street):  
Birth Date:  
City/Town:  
Postal:

s.22

Prov/State: BC  
Country: CAN

Get Data

Receipt Schedule Decision Print Save OK Cancel

4. Press **ADP** tab.



ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
ADP #:		00-228955		Status: <span>Active</span>			
DL Seizure Method:		Seized by Police					
Incident Date:		2006/10/07 03:11					
Incident Street/Hwy:		VICTORIA RD					
City/Town:		REVELSTOKE					
Section:		94.1B - Refuse to prov					
Peace Officer's Name:		CST C. SCHNEIDER					
PIN/Badge #:		52153					
Enforcement Agency:		Revelstoke					
Agency File #:		2006-3919					
Service Date:		2006/10/07					
Prohibition Effective Date:		2006/10/29					

Receipt Schedule Decision Print Save OK Cancel

5. Press the **Review** tab.

ADP# 00-228955 s.22

Driver	ADP	Review	Comments	Events	Faxes	BAC	Admin
Application Type:		ADP					
Application Date:		2006/10/14					
Review Type:		Written review					
Contact Name:		Howard Smith (lawyer)				(604) 535-7628	
Date Of Review:		2006/10/23		Time Of Review:		13:00:00	
Date Reviewed:		2006/10/27		Actual Review Type:		Written review	
Decision:		Unsuccessful		Grounds for Review:		Driver did not fail or refuse to provide sample	
Mailed Date:		2006/10/27		Phoned Date:		6000/00/00 (604) 535-7688	
Reviewing Officer:		brenda					
Review Centre:		OSMV - ADP Reviews (250) 387-7747					

Receipt Schedule Decision Print Save OK Cancel

6. Verify details of the unsuccessful re-hearing.

### To check Drivers system:

1. In Drivers system, enter the driver's DL# and press **Enter**.

SmartTerm - [bsac01.stw]

29/11/07 DRIVERS LICENCE DISPLAY SCREEN 01

LICENCE s.22 STATUS NORMAL FILE REF F000000

TYPE 5 YR RENEWAL KEYWORD SUNGA SEX MALE

BIRTHDATE s.22 ADDRESS GRCE MDS LICENCING

EXPIRY DT 23JUL2009 ADDRESS DATE 11MAY1989

CLASS 500 LAST EXAM DT 11JAN1993

DISTRICT 15 20 LAST MD DT 07NOV2006

LAST CANCEL DT

HEIGHT: 175CM WEIGHT: 684.0KG 1-Y COLOUR: BROWN HAIR COLOUR: BLACK

PRIMARY ID: BC DRIVER'S LIC SECONDARY ID: 00000

PREV NAME: s.22

3 NORMAL KNOWN MEDICAL CONDITION ED 17MAY2007 RD 07NOV2011

3 NORMAL MEDICAL FILE EXISTS AT OFF. OF SUPT. ED 080012004 RD 080012000

3 NORMAL MEDICAL FILE RELEASE PENDING ED 17MAY2007 RD 17NOV2007

\*\*\* PRESS PF 8 FOR ADDITIONAL INFORMATION

PF 8 ADD PF 9 DRIVER SEARCH PF 0 END PF 1 FWD PF 2 RNM

bsac01.stw

Connected to bsac01.gov.bc.ca

Screen 1 Menu / Cursor / Color 32768 1 hr 53 min Row 2 Col 2

2. Check the rehearing worksheet on the file to confirm that the number of days the prohibition was stayed is correct.
3. Mark on the worksheet (middle box) the start and end dates of the prohibition. Use the Julian calendar.
4. Add status codes to DL for ADP/IRP to reimpose for balance of remaining prohibition term. Add IRP or ADP status codes in XS.
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the ADP (90 days)**
  - EFFECT DTE: enter the reimposed date of the ADP
  - REVIEW DTE: enter the end date of the ADP
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the IRP (90 days)**
  - EFFECT DTE: enter the reimposed date of the IRP
  - REVIEW DTE: enter the end date of the IRP
  - TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter 00050 2 year short term**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen



- TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter 000ST reinstatement fee**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
- 
- TXN TYPE: enter 'a' (for add)
  - STATUS CODE: **enter the status code for the IRP penalty fee(90days)**
  - EFFECT DTE: enter the effective date as shown on the last line of text on the screen
  - **PRESS ENTER**
5. In the entry field in top left, enter **SUS (DL#)**. Press **Enter – Add (A)** the remaining balance of the prohibition. Enter the prohibition status code of the ADP or IRP, the start date of the reimposed prohibition and the end date.
  6. In the entry field in top left, enter **CAN (DL#)**. Press **Enter**. The cursor will automatically go to the correct field. In this field enter the date of the reimposed prohibition, press the down arrow to the appropriate line of the licence you want to cancel (this should be the duplicate DL the client received at the time of the stay of the prohibition) and enter **X, enter**.
  7. Remove the pending judicial review status:
    - TXN TYPE: **r**
    - STATUS CODE: **00pjr or 0pjri**(first digit is a zero)
    - EFFECT DTE: (effective date)
    - REVIEW DTE: (leave default)
  8. Press **Enter**. The screen will display indicating that the driver's record has been updated successfully.

### To update ADP system:

1. In ADP system, press the **Comments** tab. The adjudicator will have made their comments.

ADP# 00-228955 s.22

Driver | ADP | Review | **Comments** | Events | Faxes | BAC | Admin

Notes for ADP# 228955 as of 20-Nov-2007

10/10/2006 13:45:15	s.15	COQUITLAM LOUGHEED DSC
REWRITTEN REVIEW OCT 18/06 13:00 -LAWYER - HOWARD SMITH PH# 604 535-7888-PLEASE FAX DISCLOSURE TO 604 535-7899		
10/10/2006 14:03:54	s.15	VICTORIA OSMV OSMV
I found this ADP already on the system, linked notice bcd seized sent copy of DL request to ICBC		
11/10/2006 15:43:25	s.15	VICTORIA OSMV OSMV
created file		
13/10/2006 14:33:24	s.15	VICTORIA OSMV OSMV
Faxed lawyer disclosure		
16/10/2006 08:21:46	s.15	VICTORIA OSMV OSMV
Called office and answering machine advised that there phone and fax #'s have been changed. I have re faxed our disclosure to the new fax #.		

Receipt | Schedule | **Decision** | Print | Save | OK | Cancel

2. Press **Add**.
3. In the **Add New Comment** screen, enter "**Prohibition reimposed xx date – xx date (xx days to serve) due to unsuccessful re-hearing. Driver's updated. Judicial review file completed and closed.**"

**Add New Comment**

New Comment for ADP # 248556

User Id: s.15

Office: VICTORIA OSMV OSMV

Prohibition reimposed xx date - xx date (xx days to serve) due to unsuccessful re-hearing. Decision letter sent, system updated. Judicial review file completed and closed.

OK Cancel

4. Print the **Add New Comment** screen and place in the file.
5. Press **OK**. The **Comments** tab will reappear.
6. Press **Print**.
7. Email the JR TEAM @ **PSSG OSMV Jr Petitions Team** to let them know the outcome of the re-hearing. This includes the RDP unit so they know to add the RDP/IIP back on the DL. Include the ADP/IRP#, applicant's name, and the date of the re-hearing

#### To update tracklog:

An Excel track log is used to track stays of prohibition and other court decisions.

1. In Excel, go to **W:\Appeal Registry\Judicial Review\Judicial Review Tracklogs\NEW JR TRACKLOG JULY 2012** and enter information under the appropriate client.
2. Save the changes and exit.
3. Place the file with the other completed judicial review files above the cabinets in the front reception.

## IRP and UL Cancellation

Cancellations are:

- The DATE (i.e., "The . . . peace officer has reasonable grounds to believe that on YYYY/MM/DD")
- PEACE OFFICER SIGNATURE (in the 'Notice' section approx halfway through the Notice page)
- Place ("on Tulameen Avenue, at or near Princeton, British Columbia" e.g.)
- REASON FOR PROHIBITION box ticked – (3, 7, 30, 90)

**NOTE:** on an IRP the Certificate of Service portion on the bottom of the form is considered a separate document. All the point listed above *may not* apply to this.

The Cancellation procedure consists of the following task:

- To process an IRP and UL cancellation
- Update the driver's licence
- Create and send letter to client
- Release the vehicle
- Fax CPIC form to police

### To process a cancellation

1. In Drivers, **DSP**, enter the DL# and press **Enter**.
2. Confirm that you have the correct driver.
3. If RDP status codes have been added to the DL as a result of this incident then you need to notify the RDP unit (send email to Carolyn McMorran (RDP team leader) and cc: Paul Mulholland of the cancellation and advise that the RDP requirement needs to be removed related to this incident.
4. Remove any indication of the IRP from the driving record. Go to **XS** and press **Enter**.

SmartTerm [bcs01.stw]

10/03/08 DRIVER STATUS TRANSACTION SCREEN 01

LICENCE NUMBER: s.22 S VR RENEWAL NAME : s.22

MASTER STATUS : NORMAL EFF DATE: 04MAY2008

ORTG. SECTION : S & T FILE REF: 0000000

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

TXN TYPE: STATUS CODE: EFFECT DATE: REVIEW DATE:

2 MASTER EXPIRED EFFECT REVIEW STAT

3 STATUS STATUS DATE DATE CODE

3 NORMAL "OTHER" SECONDARY IDENTIFICATION PRESENTED 08FEB2008 08MAY2008 0010

3 NORMAL PENDING ADMIN DRIVING PROHIBITION / OVER 08 04MAY2008 06MAY2008 0041A

\*\*\* ENTER TRANSACTION

1-BOLD 2-OPA 3-DRIVER-SEARCH 4-BKWD 5-FWD

Connected to bcs01.gov.bc.ca Secure Macro Capture Hold 3278-2E 3 hr 24 min Row 7 Col 71

– example of XS screen only, not related to IRP

5. Remove the status codes related to the IRP or UL in XS.

TXN TYPE: r  
STATUS CODE: **00050**  
EFFECT DTE: IRP service date  
REVIEW DATE: (leave blank)

TXN TYPE: r  
STATUS CODE: **000ST**  
EFFECT DTE: IRP service date  
REVIEW DATE: (leave blank)

TXN TYPE: r  
STATUS CODE: **appropriate code for IRP 3, 7, 30 or 90 day**  
EFFECT DTE: IRP service date  
REVIEW DATE: (leave blank)

TXN TYPE: r  
STATUS CODE: **appropriate penalty fee code for IRP 3, 7, 30, or 90 day**  
EFFECT DTE: IRP service date  
REVIEW DATE: (leave blank)

**OR IF UL**  
TXN TYPE: r  
STATUS CODE: 12514  
EFFECT DTE: UL service date  
REVIEW DATE: (leave blank)

**And in SUS – remove the IRP or UL**

5. **For IRP only** (if UL proceed to step 6) prepare an OSMV status update requirement form, tick off under FUD restore DL expiry & licence type and in PRE 'uncancel licence' and remove from contraventions. Fax form to ICBC Adjudication. Put form and fax confirmation in file. Follow up in driver's to ensure the DL has been updated.
6. Review the driving record to check if the client paid the fee(s) to reinstate their DL and/or paid the penalty fee. This usually occurs with a 3 day IRP where the prohibition term has been served. If so, these fees need to be refunded. Complete refund form for these fees (one form can be used for both – **DON'T FORGET TO ADD THE \$31** – this is the fee for the licence itself – to the total), print 2 copies: one for file and one to Arnie to process.
7. Go the ADP/VI and bring up the IRP/UL and the VI. The driver and/or the RO may have applied for a review. Check the review tab in the ADP/VI system to see if the client has applied for a review because it will need to be cancelled and a refund processed for the review fee. In that case there may already be a file created so read the comments associated with the file on the ADP/VI system.

8. If the vehicle is still in the impound lot you must do all you can to contact the RO (who may also be the driver) – often the officer puts the phone number of the RO on the RTS but if not search for the RO's number in 411 and if found call the RO to advise of the release of the vehicle, if required leave a message to call back and BF within 24 hours and then try to call again if need be. If no number listed for the RO, contact the issuing police officer directly to get a number for the RO. If there's no contact number available and as a last resort send the letter to the RO (go to step 12 for path to letter) to advise of the release of the vehicle and give about a week for the letter to get to the person and state in the letter OSMV will pay towing and storage up to the end of that date. Fax an order of release form MV2713B to the ILO to release the vehicle on the date indicated in your letter to the RO and tick off the box stating OSMV will pay for towing and storage for this time.
9. If the **driver is the RO** and you have a phone number to contact the client you don't need to create a letter. Call the client and advise of the IRP and VI cancellation, the IRP has been removed from their DL and they may attend the DLC to get a free duplicate DL under ICBC guidelines. The client may also attend the Impound lot to get their vehicle and OSMV will pay towing and storage until the end of the day. Fax an order of release form MV2713B to the ILO to release the vehicle and tick off the box stating OSMV will pay for towing and storage. Proceed to step 15.
10. If the **RO is not the driver** and you have a phone number for the RO you don't need to create a letter. Call the client and advise of the VI cancellation due to the invalid reason of impound and that the client may attend the Impound lot to get their vehicle and OSMV will pay towing and storage until the end of the day. Fax an order of release form MV2713B to the ILO to release the vehicle and tick off the box stating OSMV will pay for towing and storage. Proceed to step 10 to create letter to the driver only.
11. If you are unable to contact the driver prepare letter to driver. The client's address is the one on the Notice.

NOTE: There are several different scenarios to address in the letter so each case must be addressed individually and you have to change the letter accordingly.

12. For IRP go to: **W:\Appeal Registry\ADPVI\All IRP ADP letters 2012\Templates\IRP cancellation-letter to driver**. If the driver isn't the RO a separate letter will need to go the RO. Go to step 14 to proceed.
13. For UL go to: **W:\Appeal Registry\ADPVI\All IRP ADP letters 2012\Templates\IUL cancellation-letter to driver**. If the driver isn't the RO a separate letter will need to go the RO. Go to step 14 to proceed.
14. If vehicle was impounded and RO is different than the driver then a separate letter needs to go out to the RO to advise of the release of vehicle due to the cancellation of the IRP. To go **W:\Appeal Registry\ADPVI\All IRP ADP letters 2012\Templates\IRP cancellation-letter to RO if not the driver**. You will need to change the letter to reflect the scenario. Release of vehicle is usually the date of the letter.
15. Print copies of the letter(s) and envelope (s) - a copy of the letter to be mailed to the driver and a copy in each file. Print 3 copies if the driver is the RO for both the IRP and VI files and one to the client. If the RO was not the driver print 2 copies of RO letter – one for VI file and one to the client.
16. Save the letter(s) to **W:\Appeal Registry\ADPVI\All IRP ADP letters 2011\IRP and UL Cancellations** Change the file name to IRP 20-[number] CLIENT LAST NAME. If driver is the RO add the VI 20-[number] as well. If RO is not the driver save the separate letters.
17. On the system for both the IRP or UL and the VI print all the faxes
18. Create 2 files folders, one for the appropriate IRP (3, 7, 90 days) or UL and a blue file folder for the VI. Print off the appropriate fax documents for each. If driver is the RO a copy of the



IRP letter will also go into the VI file folder. If RO is not the driver the separate letter to the RO will go into the VI file folder.

19. If applicable and we have complete an order of release form and fax to the ILO. Usually we will release the vehicle the same date as the client's letter and OSMV will pay the towing and storage up to this date.
20. If 90 day IRP only you need to fax a CPIC Update Notice to the police detachment. Go to: **T:\ADP-VI\CPICUpdateTemplate** and enter in the appropriate information. To get the fax number for the detachment go to: **W:\Appeal Registry\CPIC - Police Fax Numbers**
21. Don't save the form but print off one copy and fax to the police detachment. Put it and the fax transmittal report in the file. (note: the police will send a confirmation back to you once they have amended their records)
22. If a review was booked cancel the review in the system under the review tab.
23. Complete a Refund form for the review fee. Make two copies – one for file and one to the Team Lead of Appeals Registry with a copy of the application for review.
24. Add comments in both the IRP or UL and/or VI stating each action you took.
25. Place the file(s) in the appropriate file cabinet in front office.