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Getting soft on drinking drivers

TIMES COLONIST NOVEMBER 10, 2010

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**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
OFFICE OF THE SUPERINTENDENT OF MOTOR VEHICLES**

BRIEFING NOTE

PREPARED FOR: Lori Wanamaker, Deputy Solicitor General, FOR INFORMATION

SUBJECT: Immediate Roadside Prohibitions Public Awareness Campaign

ISSUE: Summary of Legal Concerns over Government Produced and Distributed Blood Alcohol Concentration (BAC) Estimators/Calculators.

BACKGROUND

The implementation of the Province's new roadside administrative sanctions for impaired drivers has highlighted a general lack of public awareness and education materials regarding responsible social drinking.

Consumers and the hospitality industry are questioning how the public can determine an acceptable BAC level for safe and legal driving.

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Prepared by: Brad Gerhart, A/Assistant Director
Office of the Superintendent of Motor Vehicles
Date: December 2, 2010
CLIFF: 453640

Wanamaker, Lori SG:EX

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 02, 2010 9:46 PM
To: Wanamaker, Lori SG:EX
Cc: Woolley, Paul PAB:EX; Lowther, Brett PAB:EX; Blewett, Tyann M SG:EX; Martin, Stephen C SG:EX
Subject: Follow Up - Public Education Thoughts
Attachments: Draft Framework for Impaired Driving Public Education Nov 2010.pptx

Lori – attached are some initial thoughts on public education as requested. Copies to you experts Paul and Brett and will follow-up tomorrow.

We will turn our minds to how we approach and *redo* the police training and education tomorrow. I have already messaged with the RCMP that we need to redo training and will connect with Jamie Graham (Chair of BCACP Traffic Safety Committee) tomorrow. The Traffic Safety Committee has representation from all key RCMP traffic folks plus the municipal forces. I will need some help on this and will connect will connect with Paul in the morning to see if there is someone in PAB corporate who could be seconded (short term) to my shop to help develop/redo police educational materials.

Steve

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Wanamaker, Lori SG:EX

From: Martin, Stephen C SG:EX
Sent: Thursday, November 04, 2010 9:31 AM
To: Myers, Tobie A SG:EX
Cc: Wanamaker, Lori SG:EX
Subject: Slide Deck
Attachments: Impaired Driving Table for SG.pptx

Importance: High

Here you go Tobie -

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Steve

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Voht, Angela E SG:EX

From: Gerhart, Bradley SG:EX
Sent: Monday, November 8, 2010 7:55 PM ✓
To: Martin, Stephen C SG:EX
Cc: Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX; Gilmour, Lori SG:EX
Subject: Public Consultation Framework



Impaired Driving immediate-roadsi
Public Consul... de-prohibition...

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**Impaired Driving – Public Consultation Framework
Ministry of Public Safety and Solicitor General
Office of the Superintendent of Motor Vehicles**

Summary:

- Impairment begins well before someone who is consuming alcohol reaches 0.08 BAC. When your blood-alcohol concentration reaches 0.05, your co-ordination, sensitivity to brightness, ability to determine colours and depth perception may be compromised. If you are drinking, your reaction time will be slower and responses less precise.
- Research shows that driving with a BAC between 0.05 and 0.08 means that you are seven times more likely to be in a fatal crash than if you have no alcohol in your body.
- Impaired driving is on the rise. In 2008, one in every 40 BC drivers surveyed by the Canadian Center on Substance Abuse were found to have blood alcohol level of 0.08.
- Impaired driving kills 133 people and causes more than 3,000 injuries on average, every year.
- In honour of Alexa Middelear, who was killed by a drunk driver in Delta two years ago, the Province's goal is to reduce alcohol-impaired driving fatalities by 35 per cent by the end of 2013. Taking into account projected increases in BC's population, this translates into a reduction in the average number of alcohol-impaired driving deaths from 133 to 94.

Questions:

1. Do you think that the government has provided you with enough information about the new impaired driving sanctions?
2. Do you know why the new impaired driving sanctions were introduced for 0.05 BAC?
3. To the best of your knowledge, were there existing sanctions in BC for driving with a 0.05 BAC before September 20th?
4. Do you believe that the new consequences for impaired drivers change impaired driving behaviour?
5. Do you understand your rights and responsibilities under the new impaired driving sanctions?
6. Have the new impaired driving sanctions affected your decisions about drinking and driving?

7. Have you used a BAC calculator or other online source of information to determine how much you could responsibly drink and still maintain safe driving practises?
8. Are there alternative transportation options in your community? Do you have any suggestions about how alternative transportation options in your community could be improved?
9. Would you like restaurants and other licensed establishments to provide you with more information about what 0.05 BAC means?

Consultation Strategy: Similar to the public consultation for distracted driving, it is proposed that the consultation for the new impaired driving strategy be posted on the Ministry internet site for public comment and feedback for six weeks. In addition, the OSMV proposes to work in collaboration with the Ministry of Citizen Services to take advantage of government's new commitment to use social media as a means of delivering services to citizens. Specifically, the OSMV proposes to deliver this consultation through social media sites such as facebook, as well as other creative uses of technology to elicit public comment and feedback.

Legislation: See attached Appendix.



Ministry of
Public Safety
and Solicitor General

Immediate Roadside Prohibitions (IRPs) for Impaired Driving

Summary Table of Consequences and Costs

Effective September 20, 2010

Administrative Consequences	"Warn Range" (0.05-0.08)			"Fail Range" (Over 0.08)
	1st Time	2nd Time (within 5 years)	3rd and Subsequent (within 5 years)	
Immediate Roadside Licence Suspension	3-day suspension	7-day suspension	30-day suspension	Immediate 90-day Administrative Driving Prohibition
Vehicle Impoundment	3-day ¹	7-day ¹	30-day	30-day
Estimated minimum towing, storage costs	\$150	\$210	\$700	\$700
Administrative Penalty	\$200	\$300	\$400	\$500
Driver's Licence Reinstatement Fee	\$250	\$250	\$250	\$250
RDP ² Requirement?	n/a	n/a	Yes	Yes
RDP cost	n/a	n/a	\$880	\$880
Ignition Interlock Requirement?	n/a	n/a	1-year	1-year ³
Ignition Interlock cost per year	n/a	n/a	\$1,730	\$1,730
Estimated Total Cost	\$600	\$760	\$3,960	\$4,060 ⁴
Criminal Charges	n/a	n/a	n/a	Possible

¹ Optional Vehicle Impoundment, at police officer's discretion.

² RDP: Responsible Driver Program.

³ 2- and 3-year Ignition Interlock requirements for subsequent offences.

⁴ Plus any legal costs, court-ordered fines, penalties, etc.

NOTE: Graduated Licensing Program drivers with any alcohol in their system continue to face GLP-specific consequences and reviews, in addition to the penalties outlined above.

For more information visit:

Office of the Superintendent of Motor Vehicles website at www.pssg.gov.bc.ca/osmv

DRAFT

Impaired Driving – Public Consultation Framework Ministry of Public Safety and Solicitor General Office of the Superintendent of Motor Vehicles

Summary and Context:

On September 20, 2010, government implemented new provincial Motor Vehicle Act laws relating to impaired driving. These laws were designed to reduce the prevalence of impaired driving, and reduce the number of impaired driving fatalities in our province. MAKE REFERENCE OR LINK HERE TO IMMEDIATE ROADSIDE PROHIBITIONS (Note attached IRP summary doc with my email)

The prevalence of impaired driving remains at a high level. A June 2010 survey conducted by the Canadian Center on Substance Abuse found that between Wednesday and Saturday nights one in every 53 BC drivers had a blood alcohol level of over 0.08, and one in every 71 drivers was found to have a blood alcohol level of between 0.05 and 0.08.

On average over the past five years impaired driving kills 133 people and causes more than 3,000 injuries, every year. The province's goal is to reduce alcohol-impaired driving fatalities by 35 per cent by the end of 2013. Taking into account projected increases in BC's population, this translates into a reduction in the average annual number of alcohol-impaired driving deaths from 133 to 94.

Scientific evidence shows that impairment begins well before someone who is consuming alcohol reaches 0.08 BAC. When your blood-alcohol concentration reaches 0.05, your co-ordination, sensitivity to brightness, ability to determine colours and depth perception become compromised. If you are drinking, your reaction time will be slower and responses less precise. Research shows that driving with a BAC between 0.05 and 0.08 means that you are seven times more likely to be in a fatal crash than if you have no alcohol in your body.

Draft Discussion Questions:

1. Do you think that the government has provided you with enough information to judge when you are able to drive safely and be in compliance with the new law?
2. Do you understand your rights and responsibilities under the new impaired driving law?
3. Have the new impaired driving sanctions affected your decisions about drinking and driving?

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Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, November 19, 2010 10:19 AM
To: Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Cc: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX
Subject: BAC Calculator and Tara's folks

See below – over to you folks to make the connection

Also Tara will be looking for FOI help for us – stay tuned

Steve

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From: Faganello, Tara AG:EX
Sent: Friday, November 19, 2010 10:16 AM
To: Martin, Stephen C SG:EX
Subject: FW: Heads Up

FYI

From: Faganello, Tara AG:EX
Sent: Friday, November 19, 2010 10:14 AM
To: Burns, Aaron AG:EX
Cc: Hoadley, David AG:EX; Skrlac, William AG:EX
Subject: Heads Up

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Voht, Angela E SG:EX

From: Gerhart, Bradley SG:EX
Sent: Friday, November 19, 2010 10:00 AM
To: Blewett, Tyann M SG:EX
Cc: Mazzei, Linda D SG:EX
Subject: FW: Draft Public Consultation Framework
Attachments: Impaired Driving Public Consultation Framework Nov 08 2010.docx; immediate-roadside-prohibition-penalties.pdf

Importance: High

Tyann, here is the latest and greatest version of the public consultation framework with comments from Karen Ayers and Lori. To date we have had no feedback from PAB, or at least none that I have seen.

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:25 PM
To: Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Cc: Melvin, Stephanie SG:EX; Martin, Stephen C SG:EX
Subject: FW: Draft Public Consultation Framework
Importance: High

Suggest we now just wait for PAB coments

Steve

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From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:23 PM
To: Lowther, Brett PAB:EX
Cc: Ayers, Karen J HSD:EX
Subject: Fw: Draft Public Consultation Framework
Importance: High

Brett as discussed on the call - still have not heard back from Lori so suggest we just proceed with you folks reviewing.

From: Ayers, Karen J HSD:EX
Sent: Tuesday, November 09, 2010 01:19 PM
To: Martin, Stephen C SG:EX
Cc: Wanamaker, Lori SG:EX
Subject: FW: Draft Public Consultation Framework

Thanks Steve. Couple of suggestions noted in the document.

Karen

From: Martin, Stephen C SG:EX
Sent: Monday, November 8, 2010 9:38 PM
To: Wanamaker, Lori SG:EX; Ayers, Karen J HSD:EX
Subject: Draft Public Consultation Framework
Importance: High

Here is a draft consultation framework to get us started. We have set it up to be similar to the one we did in 2009 for the distracted driving laws. Sending it to you both first for comment before sending off to PAB. The PDF file is just a summary of the new sanctions which could be included in the document or as a link.

<<Impaired Driving Public Consultation Framework Nov 08 2010.docx>> <<immediate-roadside-prohibition-penalties.pdf>>

Steve

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DRAFT

Impaired Driving – Public Consultation Framework Ministry of Public Safety and Solicitor General Office of the Superintendent of Motor Vehicles

Summary and Context:

On September 20, 2010, government implemented new provincial Motor Vehicle Act laws relating to impaired driving. These laws were designed to reduce the prevalence of impaired driving, and reduce the number of impaired driving fatalities in our province. **MAKE REFERENCE OR LINK HERE TO IMMEDIATE ROADSIDE PROHIBITIONS (Note attached IRP summary doc with my email)**

The prevalence of impaired driving remains at a high level. A June 2010 survey conducted by the Canadian Center on Substance Abuse found that between Wednesday and Saturday nights one in every 53 BC drivers had a blood alcohol level of over 0.08, and one in every 71 drivers was found to have a blood alcohol level of between 0.05 and 0.08.

On average over the past five years impaired driving kills 133 people and causes more than 3,000 injuries, every year. The province's goal is to reduce alcohol-impaired driving fatalities by 35 per cent by the end of 2013. Taking into account projected increases in BC's population, this translates into a reduction in the average annual number of alcohol-impaired driving deaths from 133 to 94.

Scientific evidence shows that impairment begins well before someone who is consuming alcohol reaches 0.08 BAC. When your blood-alcohol concentration reaches 0.05, your co-ordination, sensitivity to brightness, ability to determine colours and depth perception become compromised. If you are drinking, your reaction time will be slower and responses less precise. Research shows that driving with a BAC between 0.05 and 0.08 means that you are seven times more likely to be in a fatal crash than if you have no alcohol in your body.

Draft Discussion Questions:

1. Do you think that the government has provided you with enough information to judge when you are able to drive safely and be in compliance with the new law?
2. Do you understand your rights and responsibilities under the new impaired driving law?
3. Have the new impaired driving sanctions affected your decisions about drinking and driving? Suggest you ask "How have the new", in order to elicit the specific impact of the sanctions on driver behaviour.

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4. Are there alternative transportation options in your community? Do you have any suggestions about alternative transportation options or other suggestions for safe rides home? Consider broadening the question or adding another question to elicit other options/best practices to ensure patrons get home safely – e.g. designated driver supports, such as free non-alcoholic drinks, programs/promotional activity which encourages food consumption (to moderate effects of alcohol), lower alcohol content drinks (e.g. 1/2 ounce drinks) etc.
5. Do you believe that the new consequences for impaired drivers will change impaired driving behaviour?

Other Potential Questions

Have you used a BAC calculator or other online source of information to determine how much you could responsibly drink and still maintain safe driving practises?

Would you like restaurants and other licensed establishments to provide you with more information about what 0.05 BAC means?

Do you know why the new impaired driving sanctions were introduced for 0.05 BAC?

Were you aware of existing provincial laws and sanctions associated with driving with a BAC of between 0.05 and 0.08 prior to September 20, 2010?

Consultation Strategy: Similar to the public consultation for distracted driving, it is proposed that the consultation for the new impaired driving strategy be posted on the Ministry internet site for public comment and feedback for six weeks. In addition, the Ministry will work in collaboration with the Ministry of Citizen Services to take advantage of government's new commitment to use social media as a means of delivering services to citizens.

Legislation: See attached Appendix.

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From: Arason, Neil SG:EX
Sent: Wednesday, November 10, 2010 3:58 PM
To: Gerhart, Bradley SG:EX
Cc: Tadla, Dana SG:EX; Blewett, Tyann M SG:EX; Mazzei, Linda D SG:EX; Siemens, Joelle SG:EX; Murray, Kyle SG:EX; Kazmiruk, Dan SG:EX
Subject: Evidence, the case for .05 BAC and strong sanctions
Attachments: 05 and over BAC effect on drivingV4.docx; Ending Alcohol Impaired Driving - HoC Report June 2009 (3).pdf

Hi there, here is the document that outlines the research and the case for 0.05 BAC. I have updated this with a new editorial from the journal Addiction and by including a section on the national fatality database numbers.

For the national fatality database on fatally injured tested drivers, I created an appendix for this as I think we need to basically have a response ready should there be an attempt to try and use these numbers to argue against a .05 BAC or to argue against the need for lower sanctions at .05.

It is my feeling that the national fatality database numbers are misleading because they do not count non-driver position fatal vehicle occupants, fatally injured pedestrians, fatally injured cyclists, fatally injured motorcyclists and fatally injured children and because they also exclude injuries and serious injuries for all road users (BAC data by range level). For these reasons it draws a far too broad set of conclusions from very limited data – yet it has made its way into reviews of the .08 criminal code level that were carried out by a standing committee on justice in Ottawa. I have attached that report above, which I know some of you have seen before, and you can see that they quote these numbers, for Canada, on page 9 and use these numbers to argue for maintaining a .08 BAC which I find quite disappointing given the major limitations of these data.

Again, the purpose of the appendix on my document is to have a response ready should that be needed and to have our case for sanctions at .05 BAC contained in one document. I think it is also important to remember that most countries in the OECD have BAC level limits of .05 or lower and that very few countries still have a limit of .08. The only countries that have .08 are Canada, U.S., U.K., Ireland, Mexico and New Zealand. All of the rest have .05 or .03 or even less. And many of the .08 BAC laws pre-date the extensive research of recent decades that has clearly shown that at .05 BAC, driver performance is degraded, more crashes occur in the real world and .05 BAC laws work to reduce impaired related fatal crashes.

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I am not sure what the plan is for that.

Neil

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Over .05 BAC and its effect on driving

Review of the Research - Overall

- There is partial evidence of impairment at 0.02% BAC, and by 0.04% BAC, all measures of impairment that are statistically significant are in the direction of degraded driving performance.
- Most subjects in laboratory studies are significantly impaired at .05 BAC regarding visual acuity, vigilance, drowsiness, psychomotor skills, and information processing, compared to their performance at 0 BAC (Moskowitz, Burns, Fiorentino, Smiley, & Zador, 2000).
- Most countries worldwide and in the Organization for Economic Co-operation and Development (OECD) have a BAC limit of .05 BAC or lower (See table on p. 5).
- The World Health Organization (2004) recommended an upper limit of .05 BAC for the general driving population and a lower one for young drivers.
- The relative risk of fatal of being involved in a fatal crash is 4 – 10 times greater (7 x on average) at a BAC between .05 and .07 compared with driving at 0 BAC.
- Canadian researchers carried out an international review to examine the effects of lower BAC levels in various international jurisdictions. It found that in most jurisdictions where a lower limit was introduced, there is evidence of reductions in alcohol related injuries and deaths. This is especially the case when there is police and political support for the new law.
- Among 16-20 year old male drivers, a BAC increase of 0.02% is estimated to more than double the relative risk of fatal single-vehicle crash injury.
- In the United States it has been estimated that changing the legal .08 BAC level to .05 would save 538 lives each year in that country.
- A review of European Union countries shows that where many of these countries lowered their legal BAC limit to .05 over the past decade, this policy change generated measurable and positive road safety impacts.
- An editorial, in *Addiction*, argued that, at .05 BAC, all three levels of evidence exist to support a BAC limit at this particular level¹. These are: 1. scientific evidence that at .05 BAC driving skills are eroded, 2. at .05 BAC there is sound evidence, including epidemiological proof, that this translates into real number of increased numbers of crash related fatalities and injuries, and 3. there is good evidence that when jurisdictions lower their legal BAC limit to .05 this translates into actual reductions in alcohol related fatalities. Therefore for societies that only want to set

a BAC at a level that is backed by solid evidence across all three of these criteria, a 0.05 BAC is recommended. For other societies that do not need to have such multifaceted evidence, but simply want only solid evidence of degraded driving performance then for them a BAC of .02 is recommended.

- Information exists on BAC levels of fatally injured Canadian drivers. There are numerous problems associated with these data however including that these data are only from fatally injured drivers and are therefore clearly not representative of all alcohol related fatality and injury crashes impacting all road users including other vehicle occupants, pedestrians, cyclists, motorcyclists and children. These data is therefore a proxy only with limited value when used to try and draw links between various BAC levels and their association with fatal and injury crashes. Please see Appendix A for details concerning these data and for a summary of the data itself with respect to fatal drivers and their respective BAC levels.

Review of Studies

Driver characteristics and impairment at various BACs.

Even drivers with little alcohol in their systems are more likely to be involved in a crash causing death than the average sober driver. A U.S. study found that while there is partial evidence of impairment at 0.02% BAC, a major conclusion of the study was that by 0.04% BAC, all measures of impairment that are statistically significant were in the direction of degraded driving performanceⁱⁱ.

Risk of fatal crash is 4 – 10 times greater at a BAC between .05 and .07

This study entitled “The effectiveness of reducing illegal blood alcohol concentration (BAC) limits for driving: Evidence for lowering the limit to .05 BAC, and published in the Journal of Safety Research in 2006, found that, on average, the relative risk of fatal of being involved in a fatal crash is 4 – 10 times greater at a BAC between .05 and .07 compared with driving at 0 BACⁱⁱⁱ.

The review of research cites a study by Mann, Macdonald, Stoduto, Bondy, and Shaikh, in 1998, comprising a review of many different types of studies including experimental and epidemiological studies that enabled them to conclude that the adoption of a .05 BAC could potentially reduce motor-vehicle crash fatalities by 6% to 18%.

The more you drink the harder you fall

This study found that alcohol consumption causes injury in a dose-response manner^{iv}. The most common mode of sustaining an alcohol-attributable injury is from a single occasion of acute alcohol consumption, but much of the injury literature employs usual consumption habits to assess risk instead. This study, therefore, looked at single occasion- and dose-specific relative risks and used a systematic literature review and meta-analysis to fill this gap. The study found

that the risk of injury increases non-linearly (exponentially) with increasing alcohol consumption, in other words the risk from each additional drink or amount of alcohol does not increase at a steady rate but at a rate in this case higher than that, e.g., two drinks is not twice as bad as one drink but worse than that.

For motor vehicle accidents, the odds ratio increases by 1.24 (95% CI: 1.18-1.31) per 10-g in pure alcohol increase to 52.0 (95% CI: 34.50-78.28) at 120g. For non-motor vehicle injury, the OR increases by 1.30 (95% CI: 1.26-1.34) to an OR of 24.2 at 140g (95% CI: 16.2-36.2). Case-crossover studies of non-MVA injury result in overall higher risks than case-control studies and the per-drink increase in odds of injury was highest for intentional injury, at 1.38 (95% CI: 1.22-1.55). Efforts to reduce drinking both on an individual level and a population level are important.

The study concludes that no level of consumption is safe when driving and less than 2 drinks per occasion should be encouraged to reduce the risk of injury.

Lower BAC limits: an international review

A Canadian-led international review examined the effects of lower BAC levels in various jurisdictions^v. It found that in most jurisdictions where a lower limit was introduced, there is at least some evidence of reductions in alcohol related injuries and deaths. In addition, the broader context in which the new law is introduced represents significant variables and important determinants of the success of these initiatives, e.g., levels of police and political support.

Alcohol-related relative risk of driver fatalities and driver involvement in fatal crashes in relation to driver age and gender: an update using 1996 data

The objective of this study was to re-examine and refine estimates for alcohol-related relative risk of driver involvement in fatal crashes by age and gender as a function of blood alcohol concentration (BAC) using recent data^{vi}. The method used was a logistic regression to estimate age/gender specific relative risk of fatal crash involvement as a function of the BAC for drivers involved in a fatal crash and for drivers fatally injured in a crash, by combining crash data from the Fatality Analysis Reporting System with exposure data from the 1996 National Roadside Survey of Drivers. The study found that, in general, the relative risk of involvement in a fatal vehicle crash increased steadily with increasing driver BAC in every age/gender group among both fatally injured and surviving drivers. Among 16-20 year old male drivers, a BAC increase of 0.02% was estimated to more than double the relative risk of fatal single-vehicle crash injury.

At the midpoint of the 0.08% - 0.10% BAC range, the relative risk of a fatal single-vehicle crash injury varied between 11.4 (drivers 35 and older) and 51.9 (male drivers, 16-20). With only very few exceptions, older drivers had lower risk of being fatally injured in a single-vehicle crash than younger drivers, as did women compared with men in the same age range. When comparable, results largely confirmed existing prior estimates. The study concluded that this is the first study that systematically estimated relative risk for drink-drivers with BACs between 0.08% and

0.10% (these relative risk estimates apply to BAC range midpoints at 0.09%.) The results clearly show that drivers with a BAC under 0.10% pose highly elevated risk both to themselves and to other road users.

Effects of legal BAC limits on fatal crash involvement: analyses of 28 states from 1976 through 2002.

This study used an interrupted time-series quasi-experimental design to examine the effect of changes in legal BAC levels in 28 U.S. states^{vii}. The study found that results from the pooled analysis were clear and consistent: changes in BAC limits significantly affected alcohol-related fatal crash involvement for both test measures and the laws affected drivers at all drinking levels. The study estimates that 538 lives could be saved each year if the United States reduced the limit to .05 consistent with limits in most countries worldwide.

Lowering blood alcohol content levels in Europe

This study examined European countries that lowered their BAC limits to .05 and used an estimation procedure to determine the effects of this policy and legal change^{viii}. The study showed positive impacts especially on males, on young road users and in urban environments – each of which represent high risk areas.

Legal BAC Limits by Country

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Source: Transport Research Centre of the OECD International Transport Forum and International Road Traffic and Accident Database (IRTAD)

Appendix A - National Fatality Database

The national fatality database is operated by the Traffic Injury Research Foundation (TIRF) and is co-funded by Transport Canada and the Canadian Council of Motor Transport Administrators (CCMTA). It is a database of road users who have been fatally injured and where their Blood Alcohol Concentration (BAC) levels have been captured through toxicological testing involving a blood sample. The focus of the database remains drivers. These data have shortcomings and limitations since it generally takes a great deal to fatally injure a driver compared to other types of road users. Drivers are generally at least age 16 and older who have the benefit of larger size and proportionate seat belt fit should they be wearing a seat belt, unlike children whose size does not correspond to a vehicle's seat belt system. Drivers also have the protection of a vehicle crumple zone and collision-activated air bags. Conversely, approximately one-third of British Columbia's road user fatalities are vulnerable road users: pedestrians, cyclists and motorcyclists who are largely or entirely unprotected. In other words, a driver with a 0.03 BAC who hits and fatally injures a pedestrian will not appear in this database. The fatality database of fatally injured drivers is, therefore, not representative of all alcohol-related crashes involving deaths of all road users as well as alcohol related crashes involving injury and serious injury. This latter point is significant as well since for every fatality there is on average about 12 serious injuries involving hospitalization – many of which involve life-long disabilities or some type of resulting chronic medical condition. Again, the fatality database represents only crashes where the driver was killed and is therefore only a proxy when attempting to establish links between various BAC levels and crash outcomes.

The draft 2010 report representing data for 2008 reflects a toxicology testing rate of 85.9 % of deceased British Columbia drivers. The following table shows the results for tested fatally injured drivers:

British Columbia fatally injured and tested drivers (2008)

BAC range	% of tested drivers in range
0 BAC	58.1%
1-49 mg%	1.0%
50-80 mg%	3.5%
81-160 mg%	10.0%
Over 160 mg%	27.4%
Total	100%

ⁱ Mann, Robert. Editorial. 2002. Choosing a rational threshold for the definition of drunk driving: what research recommends. *Society for the Study of Addiction to Alcohol and Other Drugs, Addiction*, 97, 1237-1238.

ⁱⁱ Moskowitz, H., Burns, M., Fiorentino, D., Smiley, A., Zador, P. 2000. Driver characteristics and impairment at various BACs. Southern California Research Institute. Available from the World Wide Web at: <http://ntl.bts.gov/lib/9000/9500/9512/impairment.pdf>

ⁱⁱⁱ Fell, J., Voas, R. 2006. The effectiveness of reducing illegal blood alcohol concentration (BAC) limits for driving: Evidence for lowering the limit to .05 BAC. *Journal of Safety Research*, Volume 37, Issue 3, PP. 233-243.

^{iv} Taylor B, Irving HM, Kanteres F, Room R, Borges G, Cherpitel C, Greenfield T, Rehm J. 2010. The more you drink, the harder you fall: A systematic review and meta-analysis of how acute alcohol consumption and injury or collision risk increase together, *Drug and Alcohol Dependence*, Volume 110, Issues 1 – 2, PP. 108-116.

^v Robert E. Mann, Scott Macdonald, Gina Stoduto, Susan Bondy, Brian Jonah and Abdul Shaikh. 2001. The effects of introducing or lowering legal per se blood alcohol limits for driving: an international review. *Accident Analysis and Prevention*, 33. PP. 569 – 583.

^{vi} Zador, P., Krawchuk, S., Voas, R. 2000. Alcohol-related relative risk of driver fatalities and driver involvement in fatal crashes in relation to driver age and gender: an update using 1996 data. *Journal of Studies on Alcohol*, 61, PP. 387-395.

^{vii} Wagenaar, A., Maldonado-Molina, M., Ma, I., Tobler, A., & Komro, A. 2007. Effects of legal BAC limits on fatal crash involvement: analyses of 28 states from 1976 through 2002. *Journal of Safety Research*, 38, PP. 493-499.

^{viii} Albalade, D. 2008. Lowering blood alcohol content levels to save lives: the European experience. *Journal of Policy Analysis and Management*, Vol. 27, No. 1, PP. 20-39.

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:25 PM
To: Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Cc: Melvin, Stephanie SG:EX; Martin, Stephen C SG:EX
Subject: FW: Draft Public Consultation Framework
Attachments: Impaired Driving Public Consultation Framework Nov 08 2010.docx; immediate-roadside-prohibition-penalties.pdf

Importance: High

Suggest we now just wait for PAB comments

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
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From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:23 PM
To: Lowther, Brett PAB:EX
Cc: Ayers, Karen J HSD:EX
Subject: Fw: Draft Public Consultation Framework
Importance: High

Brett as discussed on the call - still have not heard back from Lori so suggest we just proceed with you folks reviewing.

From: Ayers, Karen J HSD:EX
Sent: Tuesday, November 09, 2010 01:19 PM
To: Martin, Stephen C SG:EX
Cc: Wanamaker, Lori SG:EX
Subject: FW: Draft Public Consultation Framework

Thanks Steve. Couple of suggestions noted in the document.

Karen

From: Martin, Stephen C SG:EX
Sent: Monday, November 8, 2010 9:38 PM
To: Wanamaker, Lori SG:EX; Ayers, Karen J HSD:EX
Subject: Draft Public Consultation Framework
Importance: High

Here is a draft consultation framework to get us started. We have set it up to be similar to the one we did in 2009 for the distracted driving laws. Sending it to you both first for comment before sending off to PAB. The PDF file is just a summary of the new sanctions which could be included in the document or as a link.

Steve

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s.13

s.13

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Thursday, November 4, 2010 9:32 AM
To: Blewett, Tyann M SG:EX; Melvin, Stephanie SG:EX
Cc: Brazier, Heather M SG:FX
Subject:
Attachments: s.13

Importance: High

s.13

Steve

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Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Thursday, November 4, 2010 9:31 AM
To: Myers, Tobie A SG:EX
Cc: Wanamaker, Lori SG:EX
Subject: s.13
Importance: High

Here you go Tobie –

s. 13(1)

Steve

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Voht, Angela E SG:EX

From: Brazier, Heather M SG:EX
Sent: Friday, October 1, 2010 9:09 AM
To: Martin, Stephen C SG:EX
Cc: Blomatt, Tyrann M SG:EX
Subject: s.13

s.13

Heather Brazier
Project Lead
Impaired Driving Initiative
Office of the Superintendent of Motor Vehicles
Ministry of Public Safety and Solicitor General
Phone: 250 953-3758
Cell: 250 812-9195
E-mail: Heather.Brazier@gov.bc.ca

Voht, Angela E SG:EX

From: Brazier, Heather M SG:EX
Sent: Friday, October 1, 2010 8:03 AM
To: Blewett, Tyann M SG:EX
Cc: Melvin, Stephanie SG:EX; Martin, Stephen C SG:EX
Subject: Evidence that .05 is bad

One of the issues that's emerging in the media (and also in conversations that I've had with just plain folks) is "where's the evidence that .05 is a problem"? There seems to be a perception that it's the hard-cord drinkers, the ones who have BACs way over .08 who are the problem. Tyann, can the Policy shop muster some information to counteract this? Off the top of my head, this would include the research showing that impairment starts at .05 and that people are 7 times more likely to be in a fatal crash if they have BACs between .05 and .08. Is there any data that shows the proportion of crashes with BAC between .05 and .08, versus over .08?

s.13

Thanks,
Heather

Heather Brazier
Project Lead
Impaired Driving Initiative
Office of the Superintendent of Motor Vehicles
Ministry of Public Safety and Solicitor General
Phone: 250 953-3758
Cell: 250 812-9195
E-mail: Heather.Brazier@gov.bc.ca

Voht, Angela E SG:EX

From: Blewett, Tyann M SG:EX
Sent: Monday, September 20, 2010 8:53 AM
To: Barry, Trevor ENV:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX
Subject: RE: Fact Sheets
Attachments: 20100920085149.pdf

Thanks Trevor – I noticed a few little things that you may already have – here they are just in case...

Tyann Blewett

A/Director, Policy & Research
Office of the Superintendent of Motor Vehicles
phone: 250-953-3330

From: Barry, Trevor SG:EX
Sent: Friday, September 17, 2010 10:36 AM
To: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX
Subject: FW: Fact Sheets

Heather, Stephanie, Tyann.

Here is the set of fact-sheets (changing) going up on Monday.
(the ADP has a few edits not shown, but is otherwise good to go).

← If there are any other changes required, they will have to wait til next week at this point.

Trevor Barry

Communications Officer
Impaired Driving Initiative
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Ministry of Public Safety and Solicitor General
Trevor.Barry@gov.bc.ca
+1 (250) 356.8655 (voicemail only)
Available without voicemail at
604-775-1023

From: Drew, Laurie A PAB:EX
Sent: Friday, September 17, 2010 10:32 AM
To: Barry, Trevor SG:EX
Subject: RE: Fact Sheets

We are preparing for post on Monday now if there are any changes that are not urgent (totally/factually wrong), we'll wait for next week. Time is not on our side!

From: Drew, Laurie A PAB:EX
Sent: Friday, September 17, 2010 9:45 AM
To: Barry, Trevor SG:EX
Cc: Lowther, Brett PAB:EX
Subject: Fact Sheets

All are done.

Outstanding: need your last word(s) on the Administrative Driving Prohibition fact sheet to have it ready for Monday posting.

Laurie Drew

Public Affairs Officer - Public Affairs Bureau
Ministry of Public Safety and Solicitor General
Communications Office
2nd Floor Courtyard, 1001 Douglas Street
Victoria BC 250•387•5009

Vehicle Impoundment Program

The Vehicle Impoundment Program is a road safety program that requires police to immediately impound the vehicles being operated by:

- prohibited, suspended and unlicensed drivers
- excessive speeders
- stunt drivers and street racers
- under-licensed and improperly seated motorcyclists
- impaired drivers (see 'Immediate Roadside Prohibitions' fact sheet on OSMV website).

What Happens If Caught

Police will issue you a Notice of Vehicle Impoundment right at the roadside (a copy of the notice will be mailed to the person named as registered owner of the vehicle). Police will call a tow truck and the vehicle you were operating will be immediately towed at the expense of the vehicle owner. As well, depending on the offence committed, there may be other consequences imposed.

Impoundment Period

The duration of the impoundment period depends on the offence committed.

- Impaired drivers may see the vehicle they were operating impounded anywhere from 24 hours, to three, seven or 30 days, and the period may escalate based on the driving record of the impaired driver.
- Other offenders may see the vehicle they were operating impounded for 7 days but the duration of the impoundment may be extended by the Superintendent of Motor Vehicles to either 30 or 60 days depending on the number of previous impoundments showing on the registered owner's impoundment history.

Reclaiming the Impounded Vehicle

After the period of impoundment ends, the owner may reclaim the vehicle from the impound lot. If the impoundment was 30 days or more, the owner of the

vehicle must complete a Vehicle Release form, available from any driver licensing office, to submit at the impound lot. The towing and storage fees must be paid at that time as well.

If the owner of the vehicle is not retrieving the impounded vehicle himself/herself, he or she must complete an Owner's Authorization form (available from any driver licensing office) allowing another individual to claim the vehicle on his/her behalf.

If the vehicle is not reclaimed at the expiry of the impoundment period, the company that impounded the vehicle may apply to the Superintendent to dispose of the vehicle. If the towing and storage costs are outstanding on the vehicle that was impounded, the vehicle owner may be unable to apply for a driver's licence or insure another vehicle until this debt to the impoundment company is paid.

Applying for a Review

You may request a review of a vehicle impoundment from the Superintendent of Motor Vehicles within 15 days of the date of the impoundment. (Note: Reviews are not available for impoundments for seven days and under.)

There are essentially two kinds of reviews: appeals and early releases.

Appealing the Vehicle Impoundment

To request the review, visit any driver licensing office to apply and make payment. Make sure to bring:

- proof of your identity and proof of motor vehicle ownership, (and the vehicle owner's consent if he or she is naming you as a third party to act on their behalf)
- a copy of the Notice of Impoundment
- all relevant information in support of your application

PSSG10-014



Ministry of
Public Safety
and Solicitor General

Office of the Superintendent of Motor Vehicles
PO Box 9254 STN PROV GOVT, Victoria BC V8W 9J2
Phone: (250) 387-7747 www.pssg.gov.bc.ca/osmv

The grounds for review are set out on the form. Prior to the review, you will receive a copy of the police information that the adjudicator will consider, and you will be given an opportunity to present further information to the adjudicator before the actual review is held.

Applying for an Early Release

A person with a valid driver's licence who resides with the vehicle owner may apply for compassionate early release of the vehicle if it can be shown that the vehicle is needed for work, education or medical treatment and no other form of transportation is available. Both the owner and the applicant must apply together.

A business owner may also request early release of a vehicle if the owner can demonstrate that the impoundment would create economic hardship.

There are two ways you may present your case:

A written review - \$50 (\$100 for Early Release)

- Include, with your application package, your case, presented in writing plus a certified cheque or money order made payable to the Superintendent of Motor Vehicles for \$50.
- The adjudicator will consider information provided by you and by the police when making the decision.

An oral review - \$100

- Submit your applications package, including a certified cheque or money order made payable to the Superintendent of Motor Vehicles for \$100.
- You will be sent a date and time for you (or *representative* your lawyer) to present by phone to the adjudicator.
- You may make a written submission in advance of the oral review by including it with your application package.

Review and Early Release Decisions

The Review Decision for Appeals

The adjudicator will send the written decision to the registered owner of the vehicle within seven days of the date the review was held. The decision will indicate whether the vehicle should be released or the impoundment should continue for the full term. The decision is final, but subject to judicial review. (Under the Judicial Review Procedures Act, any administrative decision can be taken to the B.C. Supreme Court for appeal)

The Early Release Decision

If the application is successful, the vehicle owner must pay a vehicle release fee of \$100 if the vehicle is released early on compassionate grounds or \$450 if it is released on economic hardship grounds. If the application is denied, the vehicle will be impounded for the full term outlined in the Notice of Impoundment. The decision is final, but subject to judicial review.

Other Ways to Get the Impounded Vehicle Released Early

You may apply to have the vehicle released from impoundment before the end of the stated impoundment period if:

- It was stolen (in this case the owner should contact police to file a stolen vehicle report and terminate the impoundment so the owner can pay the impound lot and retrieve the vehicle)
- the unlicensed driver of the impounded vehicle has obtained a valid driver's licence (in this case, ICBC can direct you toward paying and retrieving the vehicle from the impound lot).

Reclaiming Your Vehicle Upon Review or Early Release Decision

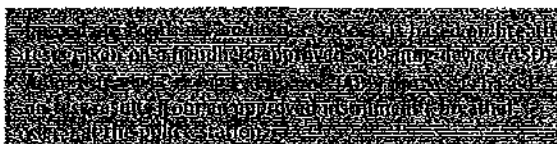
Unless advised otherwise by an adjudicator, the owner or authorized representative may reclaim the vehicle (see 'Reclaiming Impounded Vehicle' on page 1).

Office of the Superintendent of Motor Vehicles
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September 2010

Immediate Roadside Prohibition (IRP)

An immediate roadside prohibition (IRP) is a driving ban issued to impaired drivers under the Motor Vehicle Act due to drinking and driving with blood alcohol concentrations of 50 milligrams per 100 millilitres of blood (50mg% or 0.05 BAC) and above.



IRP Notice of Driving Prohibition

A police officer will issue an IRP Notice of Driving Prohibition when a driver operates or has care or control of a motor vehicle and following a demand to provide a breath sample on an approved screening device:

- has a blood alcohol concentration over 50 mg% (the "Warn" range)
- has a blood alcohol concentration over 80 mg% (the "Fail" range)
- fails or refuses to comply with a breath test without a reasonable excuse.

If you receive a Notice of Driving Prohibition you must surrender your driver's licence to the police officer and the prohibition begins immediately. The prohibition ranges from three days to 90 days, depending on the circumstances. If you believe you have grounds to have the prohibition reviewed, you may do so by applying to the Superintendent of Motor Vehicles for a review. (See 'Review Process' and 'Ground Rules', on page 2.)

Consequences

Your driving ban begins immediately when you are served with the Notice of Driving Prohibition with the actual prohibition days calculated starting the following midnight. The following chart shows consequences based on roadside test results:

"WARN" BAC 0.05 - 0.08 1st offence	<ul style="list-style-type: none"> • 3-day driving prohibition • Possible 3-day impoundment • \$200 monetary penalty
"WARN" BAC 0.05 - 0.08 2nd offence (within 5 years)	<ul style="list-style-type: none"> • 7-day driving prohibition • Possible 7-day impoundment • \$300 monetary penalty
"WARN" BAC 0.05 - 0.08 3rd offence (within 5 years)	<ul style="list-style-type: none"> • 30-day driving prohibition • 30-day impoundment • \$400 monetary penalty • Responsible Driver Program • Ignition Interlock Program
"FAIL" (BAC over 0.08) or Refuse breath test	<ul style="list-style-type: none"> • 90-day driving prohibition • 90-day impoundment • \$500 monetary penalty • Responsible Driver Program • Ignition Interlock Program

You must not drive while prohibited. There is no authority for a provisional driver's licence to allow you to drive for educational or employment purposes. If you do drive during this period, you may be charged with driving while prohibited and will face fines, jail and further driving prohibitions if convicted. The vehicle you are driving will also be impounded under the Vehicle Impoundment Program. Whether or not you are the owner of the vehicle, it will be towed on the spot and all towing and storage costs will be charged to the owner. (See fact sheet, 'Vehicle Impoundment Program' on our website: www.gov.bc.ca/pssg/osmv)

When Prohibition Period Ends

After the prohibition period ends and before you may drive again, you must obtain a new driver's licence from a driver licensing office. If you are granted a new driver's licence following a prohibition, the licence will be valid for a two-year term (not the usual five years). In addition to the monetary penalty, you will be required to pay a \$250 reinstatement fee, as well as any outstanding motor vehicle related fines, fees or debts owed to the Province or the Insurance Corporation of B.C.

Also, if you are required to take the Responsible Driver Program (RDP) and Ignition Interlock Program, you will need to register for the RDP and have the interlock device installed *before* you may apply for a driver's licence.

The Review Process

You have seven days from the date you received the Notice of Driving Prohibition to request the Superintendent of Motor Vehicles to review the prohibition.

The application form you need to complete to start the process is available at any driver licensing office. You may apply in person or a lawyer may act on your behalf.

Someone do we want to encourage them to "lawyer up"

representative
NOTE: All transactions require proof of identity from you or your lawyer. If your Notice of Driving Prohibition is available, you should produce it when you apply for the review.

Submit the completed application, along with the review fee, depending how you want to present your case:

- a written review costs \$100 - you will document your case in writing.
- an oral review (available only for 30-day and 90-day prohibitions) costs \$200 - you will present your case, on a scheduled date, to an adjudicator.

Your review will be conducted by an adjudicator at the Office of the Superintendent of Motor Vehicles. Prior to the review you will receive a copy of police information that the adjudicator will consider. You will be given an opportunity to present further information to the adjudicator before the review is held.

The driving prohibition will continue while the review process is ongoing.

The Ground Rules

The grounds under which you may seek a review:

- you did not operate or have care or control of the vehicle
- your breath test did not register "warn" or "fail"
- you did not fail or refuse to comply with a demand for a breath test, or you had a reasonable excuse for failing or refusing to comply.

The adjudicator can consider only these grounds during the review. The hardship that may be caused by the loss of your driving privileges cannot be considered.

The Review Decision

After the review the adjudicator will send you a written decision. In most cases, the decision will be sent within 21 days from the date you were served with the Notice of Driving Prohibition. The three possible decision outcomes are:

1 Driving Prohibition Revoked

You will be advised to reapply for a driver's licence. The reinstatement fees and monetary penalties will be waived or refunded, however you will need to pay any outstanding fees or debts owed to the Province or ICBC.

2 Driving Prohibition Varied

You will be advised that your driving prohibition has been reduced. The monetary penalty may be altered, waived or refunded. You will also need to pay any outstanding fees or debts owed to the Province or ICBC.

transmission parts replaced by ICBC

3 Driving Prohibition Confirmed

If the adjudicator confirms the driving prohibition, the terms of your driving prohibition will be unchanged.

When the prohibition is revoked or varied, the owner will be reimbursed eligible towing and storage charges, as long as the vehicle was not impounded for another reason.

Review decisions are final, but subject to judicial review.

For more information, visit:

Office of the Superintendent of Motor Vehicles
Web site at www.pssg.gov.bc.ca/osmv

ICBC's Web site at www.icbc.com

page 2 of 2

September 2010

Driving in B.C. Without a Valid B.C. Driver's Licence

Unlicensed drivers are a chronic problem on B.C. roads. Many have outstanding fines for driving without a driver's licence and other traffic offences, and they breach the insurance of any vehicle they are driving.

The consequences of driving unlicensed are severe. Repeat offenders will be prohibited from driving as an incentive for them to get a driver's licence and to drive legally. As you will read in this fact sheet, the consequences for those who continue to drive unlicensed ramp up.

The Consequences of Driving Unlicensed

The first time police catch you driving unlicensed, you will receive a violation ticket for driving without a valid driver's licence. You will not be permitted to drive the vehicle any further on the road.

If you are caught driving unlicensed and have a previous 'No Driver's Licence' conviction, a notice on your driving record will inform the peace officer of this and the vehicle you are driving will be impounded immediately, for seven days, whether it is owned by you or not. You will also be prohibited from driving on the spot. The consequences of continuing to drive without a driver's licence get tougher at that point.

If you continue to operate a motor vehicle after being prohibited from driving, you will be charged with 'Driving While Prohibited' which is punishable by a \$500 fine and up to six months in jail for a first offence.

Drivers Licensed Outside B.C.

You may drive in B.C. for up to six months if you hold a valid foreign or out-of-province licence. If you are a new resident to the province, you must obtain a B.C. driver's licence within 90 days of your arrival if you wish to continue to drive in B.C.

If you are licensed elsewhere, you must produce a driver's licence at the request of a peace officer. If a licence is not produced, a 'Notice of Driving Prohibition' will be issued right then and there. If a driver's licence is produced, the driver should be allowed to continue on their way unless the officer has evidence to suggest you should be holding a B.C. driver's licence.

Driving Prohibition Term

The driving prohibition is indefinite, continuing until you get a valid B.C. driver's licence. This will involve meeting all other licensing requirements that you may have been avoiding over the years (such as outstanding traffic fines).

Having the Driving Prohibition Reviewed

If you believe you should not have been identified as an unlicensed driver or that you have a reason to be exempt from the requirement to hold a valid B.C. driver's licence, you may submit your reasons (in writing or orally) to the Superintendent of Motor Vehicles. An adjudicator will consider this submission and compare it with your driving record.

The adjudicator's review decision will be sent to you once your application has been considered.

Applying for a Review

An 'Application for Review' form is available to download from the our website (see page 2) or you may pick one up from any driver licensing office. Along with the completed form, enclose a \$50.00 review fee (certified cheque or money order made payable to the Superintendent of Motor Vehicles) along with the information or evidence needed to support your application. If you are claiming you are exempt from requiring a valid B.C. driver's licence, you will need to submit proof to the adjudicator that you had a valid licence from another jurisdiction at the time of the incident, as well as proof that you are exempt from the requirement to hold a B.C. driver's licence.

If you are claiming that you should not have been identified as an unlicensed driver, you will have to explain why.

You can submit the package to the Superintendent at the address below.

Review Results

If the adjudicator decides the prohibition is to be terminated, the adjudicator will inform you and let you know when any exemption might expire. The reinstatement fee that is payable when you re-apply for a B.C. driver's licence would be waived only if the out-of-province licence was produced at the time the prohibition was served.

If the driver was incorrectly identified on their record as an unlicensed driver, this will be corrected and the driver will not be required to pay the reinstatement fee.

If the review is conducted and the prohibition is confirmed, you will be advised that you will remain prohibited from driving until you obtain a B.C. driver's licence.

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Office of the Superintendent of Motor Vehicles
PO Box 9254 STN PROV GOVT,
Victoria BC V8W 9J2
Phone: (250) 387-7747 www.pssg.gov.bc.ca/osmv

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:45 AM
To: Voht, Angela E SG:EX
Subject: FW: Kash speaks

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
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Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Thursday, November 11, 2010 4:07 PM
To: Bell, Ronald AG:EX; Blewett, Tyann M SG:EX; Gerhart, Bradley SG:EX; Tadla, Dana SG:EX; Melvin, Stephanie SG:EX
Cc: Murray, Melanie AG:EX
Subject: RE: Kash speaks

Ron we will be producing and circulating (internally) weekly reports that will be signed off by myself and I will ensure that you are placed on the distribution list.

We had issues with the distribution of material recently which we are fixing.

From: Bell, Ronald AG:EX
Sent: Wednesday, November 10, 2010 8:40 AM
To: Martin, Stephen C SG:EX
Cc: Bell, Ronald AG:EX; Murray, Melanie AG:EX
Subject: Fw: Kash speaks

Steve,

I'm just heading off and saw this CBC piece. The number of impoundments cited in the article is 1400 for the first month of the program. However, this is more than 3 times higher than the numbers provided to the Deputies on Monday (ie, we told them it was under 500 up to 17/Oct. It would be useful to confirm the accurate number of impoundments so the info provided to the Deputies can be up-dated if necessary.

Regards,

Ronald L. Bell
Legal Counsel, Legal Services Branch
Sent from BlackBerry

From: McPherson, Gordon AG:EX
Sent: Tuesday, November 09, 2010 03:27 PM
To: Murray, Melanie AG:EX; Bindra, Nina AG:EX; Bell, Ronald AG:EX
Subject: FW: Kash speaks

This too

Ex-solicitor general questions impaired driving review

Last Updated: Tuesday, November 9, 2010 | 1:48 PM PT [Comments22](#)[Recommend7](#)

[CBC News](#)

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Page 062

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Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:45 AM
To: Voht, Angela E SG:EX
Subject: FW: Follow Up - Public Education Thoughts

Steve

S.C. (Steve) MARTIN
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Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Wednesday, November 3, 2010 9:01 AM
To: Ayers, Karen J HSD:EX
Subject: RE: Follow Up - Public Education Thoughts

Thanks Karen – MADD is very interested – we should chat more about Lori's comment re educating the industry

Steve

S.C. (Steve) MARTIN
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Stephen.Martin@gov.bc.ca

From: Ayers, Karen J HSD:EX
Sent: Wednesday, November 3, 2010 8:44 AM
To: Martin, Stephen C SG:EX
Cc: Bieller, Barry HSD:EX
Subject: RE: Follow Up - Public Education Thoughts

s.13

From: Martin, Stephen C SG:EX
Sent: Wednesday, November 3, 2010 7:42 AM
To: Ayers, Karen J HSD:EX
Subject: FW: Follow Up - Public Education Thoughts

Karen – sorry – forgot to include you on this last night. This is something Lori asked me to take a stab at. Heard back from her this morning and her feedback is pasted below and your establishments are mentioned. We can catch up at Executive.

Thanks Steve – I like the framework. I think that we should keep refining our approach with an interest in having something ready early next week (Monday) to talk to the Minister about. Suggest that you also think about educating the owners of licensed establishments.

Steve

S.C. (Steve) MARTIN
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Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 2, 2010 9:46 PM
To: Wanamaker, Lori SG:EX
Cc: Woolley, Paul PAB:EX; Lowther, Brett PAB:EX; Blewett, Tyann M SG:EX; Martin, Stephen C SG:EX
Subject: Follow Up - Public Education Thoughts

Lori – attached are some initial thoughts on public education as requested. Copies to you experts Paul and Brett and will follow-up tomorrow.

We will turn our minds to how we approach and *redo* the police training and education tomorrow. I have already messaged with the RCMP that we need to redo training and will connect with Jamie Graham (Chair of BCACP Traffic Safety Committee) tomorrow. The Traffic Safety Committee has representation from all key RCMP traffic folks plus the municipal forces. I will need some help on this and will connect with Paul in the morning to see if there is someone in PAB corporate who could be seconded (short term) to my shop to help develop/redo police educational materials.

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:46 AM
To: Voht, Angela E SG:EX
Subject: FW: Meeting with SG Tomorrow

Importance: High

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
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Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Monday, November 1, 2010 8:58 PM
To: Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX; Melvin, Stephanie SG:EX
Subject: Meeting with SG Tomorrow
Importance: High

FYI – these are the key issues I need to address tomorrow with the SG

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Wanamaker, Lori SG:EX
Sent: Monday, November 1, 2010 8:55 PM
To: Martin, Stephen C SG:EX
Subject: Re: Meeting with SG Tomorrow

s.13

He is very interested in upping our public education efforts and better educating officers.

You only have 30 minutes so start with this issue and - time permitting - follow with other issues.

See you tomorrow.

Lori

From: Martin, Stephen C SG:EX
Sent: Monday, November 01, 2010 08:50 PM
To: Wanamaker, Lori SG:EX

Subject: Meeting with SG Tomorrow

Lori – has there been anything that has come up today (Monday) with the SG that I should cover off in my briefing with him tomorrow? I am aware that he spoke with the senior RCMP folks regarding data on the new impaired sanctions (which I will bring to the meeting) and on the subject of police discretion and enforcement.

Based on meetings so far any tips?

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Lennea Durant s. 22
Sent: Monday, September 20, 2010 10:05 AM
To: Brazier, Heather M SG:EX
Subject: Fw: TSF MEDIA RELEASE - Impaired while driving? Now you can expect to get caught.
Attachments: Media Release - Impaired while driving, expect to get caught_.doc

Good Morning Heather,

Attached is a copy of the media release that the BCAA Traffic Safety Foundation issued this morning. I forgot to include you when I sent it to internal parties on Friday.

My apologies.
Lennea

----- Original Message -----

From: Lennea Durant
Sent: Friday, September 17, 2010 4:38 PM
Subject: TSF MEDIA RELEASE - Impaired while driving? Now you can expect to get caught.

Hello to all,

Attached is a media release that the BCAA Traffic Safety Foundation will send out province-wide on Monday, September 20th regarding the new impaired driving penalties.

Have a great weekend.
Lennea

Lennea Durant
Media Relations
BCAA Traffic Safety Foundation
3020 Beta Avenue
Burnaby, B.C. V5G 4K4
Phone: 604-298-5107
Direct: 604-875-1182
Email: s.22
Website: www.bcaatsf.ca

Be a part of our Drive to Save Lives

Please consider the environment before printing this email.

Communication Project Plan – Sept 30, 2010

Objectives:

- Creating public awareness and understanding
- Promote public support
- Prepare partners and staff for the program of change
- Ensure messaging to various audiences is consistent, clear, coordinated and accurate
- Publicly publish the success of the initiatives

Scope:

- Public communications pre and post-launch (with PAB)
- Internal OSMV communications
- Coordination with Enforcement, [ICBC, Stroh and Guardian] communications leads
- Coordination with other partners (e.g. MADD Canada, liquor control etc)

Plan Summary

Deliverable	Status	Start Date	End Date	Description
1. Public communications (with PAB)	On track	March	Ongoing	
2. Partner communications	On track		Ongoing	
3. OSMV staff communications	On track		Ongoing	
4. CounterAttack & Enhanced Enforcement	On track		December	

Status Codes: Off Track, At Risk, On-Track, Complete, Not Started

Activity	Owner	Start Date	End Date	Status	Notes
1. Public Communications					
Develop communications plan for announcement of legislative changes	PAB	March	March 30	Complete	
News release, Launch event	PAB	April 27	April 27	Complete	
Articles in stakeholder publications (e.g., the Publican, ARA News, Westworld)	PAB	June	July 30	Complete	Publican article published in Aug 13 edition. ARA News article published in Aug 13 edition.
Incorporate messaging in high school curriculum	ICBC	June	September	Complete	ICBC revised K-10 curriculum, and post-secondary trades program. Also book back cover contest for secondary students, short film contest, and RoadSense speaker program.
News release re effective date	PAB	July 19	July 28	Complete	
News release and event for implementation	PAB	Late Aug	Sept 16	Complete	
Post information on OSMV website	Heather, Trevor PAB	April 27	September 20	Complete	s.13

Activity	Owner	Start Date	End Date	Status	Notes
Update ICBC POS brochures and website	ICBC	Aug 16	Sept 17	Complete	
Highway signs	Heather MOTI	Aug 19	Sept 14	Complete	Running Sept 12 – Oct 10.
Graphic and link on DriveBC.ca	Heather MOTI	Sept 20	Sept 24	Complete	
Posters for post-secondary institutions	Trevor	Aug 25	Sept 17	Complete	
Posters for use by police	Heather ICBC	Sept 8	Oct 8	At risk	Trying to get high-resolution version of BCACP logo
Explore use of social media, especially government's Healthy Living Facebook site	PAB	June 1	Ongoing	On track	Posts from Chief Jamie Graham and Dr Perry Kendall. Links to news stories and videos.
MADD Canada news release	MADD Canada	Sept 27	Sept 29	Complete	Tackles issues of due process and social drinking
Information Bulletin with stats from first week	PAB OSMV	Sept 23	Sept 29	Cancelled	
Public Service Announcements	TBD	TBD	TBD	Not started	
2. Partner communications					
See separate workplan	Various	Ongoing	Ongoing	On track	
3. OSMV staff communications					
Brief staff on legislative changes	Heather, Steve	April	April	Complete	
Post information on OSMV intranet site	Heather, Trevor	April	Ongoing	On track	s.13
Brief staff on organizational structure and space	Steve, Stephanie	Week of May 10	Week of May 10	Complete	See Facilities project plan
Brief Operations staff on training plan	Tony			Complete	See Training project plan
Brief staff on outcome of hiring process	Steve, Stephanie	Week of June 1	Mid-Aug	Complete	See Recruitment project plan
Introduce new staff	Stephanie, Susan	Week of June 1	Mid-Aug	Complete	
Brief staff on enforcement training plan	Stephanie, Marc	Mid July	Aug	Complete	
All staff update prior to implementation	Heather, Lori	Sept 14	Sept 14	Complete	
Periodic staff updates post-implementation?	TBD	Oct	TBD	TBD	

4. CounterAttack & Enhanced Enforcement					
Police Services to identify 10/11 ERSEI funding; funding required for September IRP enforcement blitz	Police Services	May 17	Sept 20	Complete	RCMP will use IRSU funding for Sept enhanced enforcement. Independents will operate through IRSU, or use their own funding.
Ipsos Reid Survey will establish baseline measurement re awareness of new legislation and influence on behaviour	ICBC	June 14	June 30	On track	Joelle checking with ICBC re data availability.
Summer CounterAttack campaign	ICBC PAB	June 28 Aug 23	July 30 Sept 5	Complete	
December CounterAttack campaign	ICBC PAB	TBD	TBD		

Office of the Superintendent of Motor Vehicles

Impaired Driving Initiative

Trevor Barry, Communications Officer

Role Description

(Blue text = update as of Sept 10, 2010)

Overall Objective:

Coordinate development of information to be disseminated to the public and within OSMV regarding the new impaired driving administrative penalties being implemented in September 2010.

Key Accountabilities:

1. Development of public education material for impaired driving
 - Working with other OSMV staff as appropriate, develop material to be disseminated to the public to enhance understanding of the new administrative penalties
 - Examples include fact sheets and FAQs
 - Primary tool will be OSMV internet
 - Requires close consultation with PAB
 - Largely complete; impaired driving webpage content to be provided to PAB Sept 10. Some follow-up will likely be required the week of Sept 17 to finalize content. Significant probability of "fine-tuning" during the first few weeks after IRP implementation.
 - Coordinating distribution of posters to student societies. Could be additional work if posters are distributed to other venues.
 - Coordinating material for various briefings, e.g., Ombudsman's Office
2. Provide information on impaired initiative to OSMV staff
 - Identify opportunities to share information with OSMV staff to keep them informed on progress of the initiative
 - As required, develop material for OSMV staff
 - Primary tool will be OSMV intranet
 - Posting period updates drafted by project lead on intranet
3. First point of contact for public inquiries on impaired initiative
 - Act as initial referral point for public inquiries
 - As appropriate, deal directly with public inquiries
 - When required, refer inquiries to appropriate OSMV staff
 - Maintain log of inquiries, and use to identify public education opportunities and FAQs
 - To date, very few inquiries. May ramp up after Sept 20.

4. OSMV Intranet Administration

- As authorized administrator for OSMV intranet, post material as directed
- Includes material related to impaired initiative and other OSMV work
- Workload has been minimal; primarily related to Impaired Driving Initiative.

5. OSMV Internet Redesign

- Rethink OSMV website – identify gaps, redundancies, requirements for external links
- Working with OSMV subject matter experts, update content as appropriate
- Requires close consultation with PAB
- Requires additional time (estimate 3-4 weeks) to finalize content. Additional time (estimate 2 weeks) to liaise with PAB on posting.

6. OSMV Internal Information Sheets (aka “cheat sheets”)

- Develop/update internal information sheets of key facts and/or standard messaging for various OSMV programs
- Not started

Reporting Relationship:

For items 1-3, Heather Brazier, Project Lead, Impaired Driving Initiative

For item 6, Tyann Blewett, A/Director, Policy and Research

For item 4, Heather Brazier for material related to impaired initiative, Tyann Blewett for all other material

For item 5, Heather Brazier at inception. To be revisited as project progresses.

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 11:11 AM
To: Bell, Ronald AG:EX; Murray, Melanie AG:EX
Subject: FW: latest draft copy of BN

Fyi to keep you in the loop on this saga....

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 10:37 AM
To: Woolley, Paul PAB:EX
Cc: Lowther, Brett PAB:EX; Blewett, Tyann M SG:EX
Subject: latest draft copy of BN

Hi Paul

Same warnings on this one. It's only draft and not signed off on. Just keeping you in the loop of progress. I haven't heard back from Jamie Graham about a press release but will keep you posted.

Regards

Stephanie

s.13

Stephanie Melvin
Director of Administrative Justice, Driver Fitness and Intervention
Office of the Superintendent of Motor Vehicles
Ministry of Public Safety and Solicitor General
4A - 940 Blanshard Street
Victoria BC V8W 9J2
250-953-3818 direct
250-356-8640 Assistant Anita Wilkinson

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 11:09 AM
To: Belsky, Belle SG:EX; Clayton, Penny L SG:EX
Subject: FW: BN with changes

Over to you please

From: Hoskins, Jeannie SG:EX
Sent: Thursday, November 18, 2010 10:48 AM
To: Melvin, Stephanie SG:EX
Subject: RE: BN with changes

Hi Stephanie

Could someone please do a cliff referral to our office for this note.

Thank you.

Jeannie Hoskins
Executive Coordinator
Office of the Deputy Solicitor General
Ministry of Public Safety & Solicitor General

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 10:34 AM
To: Wanamaker, Lori SG:EX
Cc: Martin, Stephen C SG:EX; Hoskins, Jeannie SG:EX
Subject: BN with changes
Importance: High

Hello Lori

Here are the changes you asked for. Let me know if there's anything else that's needed.

Best regards

<< File: BN - s.13

Stephanie Melvin
Director of Administrative Justice, Driver Fitness and Intervention
Office of the Superintendent of Motor Vehicles
Ministry of Public Safety and Solicitor General
4A - 940 Blanshard Street
Victoria BC V8W 9J2
250-953-3818 direct
250-356-8640 Assistant Anita Wilkinson

MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
OFFICE OF THE SUPERINTENDENT OF MOTOR VEHICLES

BRIEFING NOTE

PREPARED FOR: Honourable Rich Coleman, Solicitor General **FOR Decision**

SUBJECT: Calibration of Approved Screening Devices for testing Blood Alcohol Concentration (BAC)

ISSUE: Possibility of drivers receiving immediate roadside prohibitions when their blood alcohol concentration is lower than 50 milligrams of alcohol in 100 millilitres of blood.

BACKGROUND

- Under the new impaired driving provisions of the *Motor Vehicle Act (MVA)*, a driver can be requested to provide a breath sample on a roadside Approved Screening Device (ASD) if a police officer has reasonable grounds to believe that the driver's ability to drive is affected by alcohol. Drivers are subject to a 3, 7 or 30 day immediate roadside prohibition¹ if their blood alcohol concentration (BAC) indicates a "warn" on an ASD; and a 90 day prohibition if their BAC indicates a "fail".
- Section 215.41 of the *MVA* defines a "warn" reading to indicate that the concentration of alcohol in a person's blood is not less than 50 milligrams of alcohol in 100 millilitres of blood (.05), and a "fail" when the concentration of alcohol in a person's blood is not less than 80 milligrams of alcohol in 100 millilitres of blood (.08).
- ASDs used in all provinces in Canada, except Saskatchewan², are calibrated to register a "warn" when the BAC is between .05 and .99 and a "fail" when the BAC is .10 and higher.
- Although ASDs provide accurate and reliable BAC readings, the device is not warranted to be 100 percent accurate. As such, concerns have been raised that people may have been given prohibitions based on a "warn" ASD reading, when their actual BAC may have been below .05.
- As of November 14, a total of 1,235 prohibitions have been issued for "warn" range violations and 1,894 prohibitions for "fail" range violations.

¹ Depending on number of previous immediate roadside prohibitions; also includes other administrative sanctions (monetary penalties, Driver's Licence reinstatement fees, vehicle impoundment costs and remedial program participation costs)

² Saskatchewan devices are calibrated to register a "warn" at .04 BAC.

DISCUSSION

- The new immediate roadside prohibition legislation has been successful at changing people's drinking and driving behavior. It has created the perception that people will be caught and sanctioned by police.
- The new prohibition legislation has also been successful at managing traffic enforcement workload and decreasing pressures in the criminal justice system. Police report that they are issuing more immediate roadside prohibitions and conducting fewer criminal investigations.
- The new legislation is assisting Government to realize its commitment to reduce impaired-related motor vehicle fatalities in British Columbia by 35 percent by 2013. Based on statistics to date, government is on target to meet these goals.

ASD Accuracy

- Administrative prohibitions are issued based on readings generated by ASDs. ASDs are scientifically validated to provide reliable and accurate breath readings, and are prescribed by regulation by the Attorney General of Canada based on advice from the Alcohol Test Committee (ATC) of the Canadian Society of Forensic Sciences.
- The Alco Sensor IV DWF, the ASD currently used in British Columbia, is one of several alcohol screening devices approved by the Attorney General of Canada for the purposes of the *Criminal Code*.
- The Alco-Sensor IV DWF is calibrated to register a "warn" at the .05 to .99 BAC range. The manufacturer of the device advises that the accuracy of the device is within +/- 5 percent margin of error (i.e. .0475- .0525 at the .05 BAC level).
- When the new immediate roadside prohibition legislation was enacted, the legislature is presumed to have contemplated and accepted the margin of error inherent in the prescribed devices. There is an assumption of margin of error as no screening device is perfect; a specific device was prescribed with the knowledge that the BAC level will be very close to the reading and it is the "fail" or "warn" reading that results in a prohibition being issued.
-

s.13

ASD Readjustment by the Province

- There is no legal requirement for the province to adjust ASDs to allow for the margin of error inherent in the devices. In addition, there is no increased risk of a charter challenge based on the margin of error.

- Any changes to the calibration of ASDs must be vetted through the ATC. Prior to making any changes to the device, ASD manufacturers are required to submit the proposed changes to the ATC. The ATC must recommend these changes to the Attorney General of Canada in order for the device to continue to be approved for use under the *Criminal Code*.
- There are two alternatives for adjusting ASDs: 1) to show a "warn" BAC at .055; or, 2) to show a full digital read out at both the "warn" and "fail" levels.
- We have confirmed that full digital read out ASDs would no longer be designated by the Attorney General of Canada for use in criminal cases. This is because ASDs with full digital read out would complicate and potentially jeopardize *Criminal Code* proceedings and result in increased pressure on the justice system. Expert witnesses would be required in each case to explain the difference in readings between ASDs and breathalyzers³ and to defend the accuracy of both devices.

ASD Readjustment by the Police

- The police have indicated that they intend to adjust the ASDs to show a "warn" BAC at .055.
- A resolution is being drafted by the BC Association of Chiefs of Police (BCACP) in support of this adjustment. Once the resolution is approved by BCACP, a bulletin will be issued to all RCMP and municipal police detachments across the province outlining the process for adjusting the ASDs (See Attachment 1).
- Police have the discretion to undertake this adjustment independent of the province.
-

s.13, s.14

Existing Prohibitions

s. 13(1)

³ Used to obtain evidentiary evidence of BAC level for criminal proceedings – also approved by Attorney General on the advice of the ATC.

s. 13(1)

OPTIONS:

1.

s. 13(1)

2.

s.13

s. 13(1)

APPROVED / NOT APPROVED

The Honourable Rich Coleman
Solicitor General

Prepared by: Brad Gerhart, A/Assistant Director
Date: November 17, 2010
CLIFF: 452717

s.13

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Monday, November 8, 2010 9:58 PM
To: Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX; Cournoyer, Vince PAB:EX; Gilmour, Lori SG:EX; Louie, Toby I SG:EX
Cc: Blewett, Tyann M SG:EX; Martin, Stephen C SG:EX
Subject: Communications Plan Touch Base
Importance: High

Karen - just noticed tomorrow's 4 pm meeting – my calendar say it's about MADD AD discussions??

Suggest we meet first thing tomorrow to touch base – I can clear my calendar and be free from 8:30 to 10.

Lori can book us some time when she gets in at 8:30.

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
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Stephen.Martin@gov.bc.ca

From: Ayers, Karen J HSD:EX
Sent: Monday, November 8, 2010 6:26 PM
To: Wanamaker, Lori SG:EX; Martin, Stephen C SG:EX
Subject: Re: Update

Ok.

Steve - if you want to move up tomorrow's 4 pm I am available.
Suggest we need to link in Vince and Brett.

From: Wanamaker, Lori SG:EX
Sent: Monday, November 08, 2010 05:27 PM
To: Martin, Stephen C SG:EX; Ayers, Karen J HSD:EX
Subject: Update

Steve / Karen –

The following are the issues identified by MRC that need to be considered in the public education / consultation strategy:

s.12

s.13

He wishes to be able to launch the campaign on Friday (although this may not be practical and I will take your advice).

Prepare a short Cabinet Submission. Must be finalized by Monday, November 15, 2010 for presentation on November 17. The submission must include:

s.12

s.12

Voht, Angela E SG:EX

Not Responsive

From: Martin, Stephen C SG:EX
Sent: Monday, November 8, 2010 10:26 PM
To: Wood, Rob AG:EX
Cc: Blewett, Tyann M SG:EX; Gerhart, Bradley SG:EX; Tadia, Dana SG:EX; Gilmour, Lori SG:EX; Melvin, Stephanie SG:EX
Subject: Meeting on s.12
Importance: High

Rob we will need to reschedule our meeting planned for tomorrow morning with your team re s.12 We have just been asked tonight to develop a Cab Sub in the next couple of days and I need all my hands, including mine, on deck to pull this off. Please pass my apologies on to your folks for the rather late notice – we will reschedule as soon as we can.

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

Voht, Angela E SG:EX

From: Kazmiruk, Dan SG:EX
Sent: Wednesday, November 10, 2010 10:47 AM
To: Melvin, Stephanie SG:EX
Cc: Mazzei, Linda D SG:EX
Subject: RE: s.12

I've provided an outline for Linda to put in the cab sub. I've made some assumptions obviously on what the s.12 might entail. I know Brad is going to be running all this stuff by Steve as well.

s.12

From: Melvin, Stephanie SG:EX
Sent: Wednesday, November 10, 2010 10:31 AM
To: Kazmiruk, Dan SG:EX
Subject: RE: s.12

Huge thanks, and will you share your draft with me?

From: Kazmiruk, Dan SG:EX
Sent: Wednesday, November 10, 2010 10:16 AM
To: Melvin, Stephanie SG:EX
Subject: RE: s.12

Thanks Stephanie, I thought of one more

s.12

From: Melvin, Stephanie SG:EX
Sent: Wednesday, November 10, 2010 10:06 AM
To: Kazmiruk, Dan SG:EX
Subject: Re: s.12

Those are the ones I have Dan. Thanks

From: Kazmiruk, Dan SG:EX
Sent: Wednesday, November 10, 2010 09:42 AM
To: Melvin, Stephanie SG:EX
Subject: s.12

s.12

Dan Kazmiruk

A/Senior Policy Advisor | Policy & Research Branch

Office of the Superintendent of Motor Vehicles

Ministry of Public Safety and Solicitor General

Phone | 250-952-6922

Strategic Communications
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.....
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Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Sunday, November 14, 2010 3:51 PM
To: Brazier, Heather M SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX; Tadia, Dana SG:EX; Blewett, Tyann M SG:EX
Cc: Martin, Stephen C SG:EX; Faganello, Tara AG:EX; Louie, Toby I SG:EX; Bell, Ronald AG:EX; Murray, Melanie AG:EX
Subject: Upcoming Week and Cabinet Submission
Importance: High

Here is my best guess of what we need to prepare for this coming week. There are a number of issues we are currently chasing down, and if last week is any example there may be more elements that we may need to consider as this coming week unfolds.

Cabinet Submission

s.12

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Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Tuesday, November 16, 2010 4:15 PM
To: Gerhart, Bradley SG:EX; Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadia, Dana SG:EX
Subject: RE: draft Cab sub insert s.12

s.12

From: Gerhart, Bradley SG:EX
Sent: Tuesday, November 16, 2010 2:44 PM
To: Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadia, Dana SG:EX
Subject: RE: draft Cab sub insert s.12
Importance: High

s.12

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Friday, November 12, 2010 2:36 PM
To: Gerhart, Bradley SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadia, Dana SG:EX
Subject: RE: draft Cab sub insert - s.12

s.12

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Friday, November 12, 2010 9:48 AM
To: Louie, Toby I SG:EX; XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CASE:IN; Jan Vrem, Mark; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: RE: draft Cab sub insert s.12

Thanks Toby and Lindsay.

Cheers,
Brad.

From: Louie, Toby I SG:EX
Sent: Friday, November 12, 2010 8:37 AM
To: XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas C AS:IN; 'Jan Vrem, Mark'; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: Re: draft Cab sub insert s.12
Importance: High

Thanks Lindsay

I'm forwarding to others involved with the submission through my reply.

From: Matthews, Lindsay [mailto:Lindsay.Matthews@icbc.com]
Sent: Friday, November 12, 2010 8:28 AM
To: Louie, Toby I SG:EX
Cc: Lowther, Brett PAB:EX; XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas C AS:IN; Jan Vrem, Mark
Subject: draft Cab sub insert s.12
Importance: High

Hi Toby

Here is a piece on s.12 to add to the Cab Sub.

If someone else should be getting this piece directly either please pass it on for us or let me know who that is.

If there are any concerns people have with the content please circle back to us.

Let me or Nicolas know if you have questions.

Lindsay

This email and any attachments are intended only for the named recipient and may contain confidential and/or privileged material. Any unauthorized copying, dissemination or other use by a person other than the named recipient of this communication is prohibited. If you received this in error or are not named as a recipient, please notify the sender and destroy all copies of this email immediately.

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 1:44 PM
To: Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX
Subject: FW: Update on Impaired Cab Sub

Importance: High

Advice? Should this get sent to the Deputy and MO, or leave things be.

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 18, 2010 1:37 PM
To: Melvin, Stephanie SG:EX; Hoadley, David AG:EX
Cc: Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX
Subject: RE: Update on Impaired Cab Sub
Importance: High

Hi David,

Attached please find the revised BN,

s.12

Thanks for spotting this for us.

Cheers,
Brad

s.12

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 1:25 PM
To: Hoadley, David AG:EX
Cc: Gerhart, Bradley SG:EX; Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX
Subject: RE: Update on Impaired Cab Sub

Wow

s.12

Thank you David.

Brad – over to you to get this fixed asap.

From: Hoadley, David AG:EX
Sent: Thursday, November 18, 2010 1:23 PM
To: Melvin, Stephanie SG:EX
Subject: RE: Update on Impaired Cab Sub

Hi Stephanie:

s.12

All the best,

David

From: Faganello, Tara AG:EX
Sent: Thursday, November 18, 2010 12:27 PM
To: Hoadley, David AG:EX; Cumberland, Paul AG:EX
Subject: FW: Update on Impaired Cab Sub

Just an FYI for now pls do not distribute any further. And not to TBS yet.

Thx

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 11:42 AM
To: Faganello, Tara AG:EX
Cc: Martin, Stephen C SG:EX
Subject: RE: Update on Impaired Cab Sub

Hi Tara

The Minister is reviewing a briefing note related to the Cab Sub today. I'll attach a copy for you. The Cab Sub is being worked on, but we have no direction yet as to when this is expected to be going forward, if at all. This BN has not been approved by the Minister yet.

<< File: BN - 452717 s.12 >>

Regards

Stephanie_

From: Faganello, Tara AG:EX
Sent: Thursday, November 18, 2010 11:34 AM
To: Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Subject: Update on Impaired Cab Sub

Hi Steve,

Can you provide me an update on where this item is at? Are we going forward with something/when?

Tara A. Faganello CGA, BA
Assistant Deputy Minister and Executive Financial Officer
Management Services Branch
Serving the Ministries of Attorney General and Public Safety and Solicitor General
Phone: 250-387-5929
Fax: 250-387-0081
Cell: 250-217-7711

Voht, Angela E SG:EX

From: Brazier, Heather M SG:EX
Sent: Thursday, November 18, 2010 11:51 AM
To: Gerhart, Bradley SG:EX
Cc: Blewett, Tyann M SG:EX; Melvin, Stephanie SG:EX; Tadla, Dana SG:EX
Subject: FW: Cab Sub s.12
Attachments: 452419 - Cab Sub - Impaired Driving s.12

I've added my comments in track changes. It's also important to weave in the legal advice received over the last few days. s.12

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 8:58 AM
To: Gerhart, Bradley SG:EX
Cc: Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: Cab Sub s.12

Here's the version with my additions for s.12 I've kept them brief. Please let me know if they need to be expanded upon.

From: Gerhart, Bradley SG:EX
Sent: Tuesday, November 16, 2010 2:44 PM
To: Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert s.12
Importance: High

Steve, attached is s.12 . Do you
wanted any further changes made for purposes of the Cab Sub?

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Friday, November 12, 2010 2:36 PM
To: Gerhart, Bradley SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert s.12

s.12

ack

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Friday, November 12, 2010 9:48 AM
To: Louie, Toby I SG:EX; XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; Jan Vrem, Mark; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: RE: draft Cab sub insert - s.12

Thanks Toby and Lindsay.

Cheers,
Brad.

From: Louie, Toby I SG:EX
Sent: Friday, November 12, 2010 8:37 AM
To: XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; Jan Vrem, Mark; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: Re: draft Cab sub insert - s.12
Importance: High

Thanks Lindsay

I'm forwarding to others involved with the submission through my reply.

From: Matthews, Lindsay [<mailto:Lindsay.Matthews@icbc.com>]
Sent: Friday, November 12, 2010 8:28 AM
To: Louie, Toby I SG:EX
Cc: Lowther, Brett PAB:EX; XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; Jan Vrem, Mark
Subject: draft Cab sub insert - s.12
Importance: High

Hi Toby

Here is a piece on s.12 to add to the Cab Sub.

If someone else should be getting this piece directly either please pass it on for us or let me know who that is.

If there are any concerns people have with the content please circle back to us.

Let me or Nicolas know if you have questions.

Lindsay

This email and any attachments are intended only for the named recipient and may contain confidential and/or privileged material. Any unauthorized copying, dissemination or other use by a person other than the named recipient of this communication is prohibited. If you received this in error or are not named as a recipient, please notify the sender and destroy all copies of this email immediately.

Voht, Angela E SG:EX

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 18, 2010 11:47 AM
To: Blewett, Tyann M SG:EX
Subject: FW: draft Cab sub insert - s.13
Attachments: draft Cab sub insert - s.12
Importance: High

Tyann, here were Steve's instructions re requested changes this afternoon. Toby has also asked Lindsay about hopefully we here about that piece shortly.

s.12

I am working on making the

s.12

50

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 16, 2010 6:00 PM
To: Gerhart, Bradley SG:EX
Cc: Melvin, Stephanie SG:EX
Subject: Fw: draft Cab sub insert s.12
Importance: High

Here you go Brad. Once you have Stephanie's and my changes Things still left to do with this:

s.12

- share with Karen Ayers and PAB for comment

s.12

s.12

From: Gerhart, Bradley SG:EX
Sent: Tuesday, November 16, 2010 02:44 PM
To: Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert

s.12

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Friday, November 12, 2010 2:36 PM
To: Gerhart, Bradley SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert

s.12

s.12

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Friday, November 12, 2010 9:48 AM
To: Louie, Toby I SG:EX; XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CASE:IN; 'Jan Vrem, Mark'; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: RE: draft Cab sub insert

s.12

Thanks Toby and Lindsay.

Cheers,
Brad.

From: Louie, Toby I SG:EX
Sent: Friday, November 12, 2010 8:37 AM
To: XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CASE:IN; 'Jan Vrem, Mark'; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX

Subject: Re: draft Cab sub insert
Importance: High

s.12

Thanks Lindsay

I'm forwarding to others involved with the submission through my reply.

From: Matthews, Lindsay [mailto:Lindsay.Matthews@icbc.com]
Sent: Friday, November 12, 2010 8:28 AM
To: Louie, Toby I SG:EX
Cc: Lowther, Brett PAB:EX; XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; Jan Vrem, Mark
Subject: draft Cab sub insert -
Importance: High

s.12

Hi Toby

Here is a piece on s.12 to add to the Cab Sub.

If someone else should be getting this piece directly either please pass it on for us or let me know who that is.

If there are any concerns people have with the content please circle back to us.

Let me or Nicolas know if you have questions.

Lindsay

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Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Friday, November 19, 2010 4:37 PM
To: Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX
Cc: Martin, Stephen C SG:EX
Subject: Re: The Cabinet Submission - schedule

You bet.

From: Blewett, Tyann M SG:EX
Sent: Friday, November 19, 2010 04:23 PM
To: Melvin, Stephanie SG:EX; Brazier, Heather M SG:EX
Cc: Martin, Stephen C SG:EX
Subject: The Cabinet Submission - schedule

I have a draft of the Cabinet Submission. My brain is fried so I'm going to go home, eat and relax for a bit. I will do all my edits this evening, then send to Stephanie and Heather. If you two could send your comments back sometime Saturday, I will reserve Sunday for Steve's review. He has asked to be the last stop.

Does that work for everyone?

Steve -- Karen referred me off to

s.12

Good times.

Tyann Blewett

A/Director, Policy & Research

Office of the Superintendent of Motor Vehicles

phone: 250-953-3330

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Saturday, November 20, 2010 2:32 PM
To: Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX
Subject: Re: Draft Cab Sub

Really good job Tyann. Pardon my blackberry comments. Please feel free to call me if it's too hard to understand.

s.12

Something like that Tyann?

Well done.

Regards

Stephanie

From: Brazier, Heather M SG:EX
Sent: Saturday, November 20, 2010 10:34 AM
To: Blewett, Tyann M SG:EX; Melvin, Stephanie SG:EX
Subject: FW: Draft Cab Sub

Tyann, you are mah-veinous. My comments are in track changes. Is there time to get Ron/Melanie to review?

From: Blewett, Tyann M SG:EX
Sent: Friday, November 19, 2010 9:26 PM
To: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX
Subject: Draft Cab Sub

I'm still doing tweaks but thought I'd send it off for your feedback. My plan is to send to Steve once we've all had a good crack at it.

Thanks for looking at this over your precious weekend.

<<452419 - Cab Sub

Not Responsive

From: Martin, Stephen C SG:EX
Sent: Monday, November 22, 2010 7:57 AM
To: Woolley, Paul PAB:EX; Gilmour, Lori SG:EX
Subject: Cabinet Submission: s.12
Importance: High

Hi Paul – looks like Lori won't be meeting with the SG today as planned. I think you and I should get together on our own to discuss and make plans to move forward with this in anticipation decisions. I have attached parts of the Cabinet Submission fyi.

Lori G will you pls arrange a time for Paul and I to meet in person on this today sometime.



parts of cab sub
for Paul Woolley

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Wanamaker, Lori SG:EX
Sent: Sunday, November 21, 2010 6:10 PM
To: Martin, Stephen C SG:EX
Subject: RE: Cabinet Submission: s.12

Steve — the SG will not be in Victoria tomorrow. I will review the submission and provide you with my comments by Wednesday.

Lori

From: Martin, Stephen C SG:EX
Sent: Sunday, November 21, 2010 11:24 AM
To: Wanamaker, Lori SG:EX
Cc: Melvin, Stephanie SG:EX; Tadia, Dana SG:EX; Martin, Stephen C SG:EX; Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX
Subject: Cabinet Submission s.12
Importance: High

Hi Lori — attached is the document for you to use in your meeting with the SG tomorrow. We need approval/direction on the various components particularly the ones relating to s.12

<< File: 452419 ~ s.13

Wanamaker, Lori SG:EX

From: Labh, Janet AG:EX
Sent: Thursday, December 02, 2010 2:56 PM
To: Wanamaker, Lori SG:EX
Subject: URGENT IBN - OSMV "Public Education" Campaign re: Immediate Roadside Prohibition scheme, CLIFF #380019
Attachments: 380019 - IBN - OSMV Public Education Campaign Re Immediate Roadside Prohibition scheme 12 02 10.docx; 380019 - IBN - OSMV Public Education Campaign re Immediate Roadside Prohibition scheme (attachments).pdf
Importance: High

Lori; Attached is a BN that David would like to discuss with you ASAP. (you have received a VM from him to call you on his cell s. 15, s. 17(1) This BN has been approved by David and a copy is being forwarded to the AG now.

Janet

Please see the attached information briefing note (with four attachments). The BN has not yet been reviewed by Richard Fyfe. Richard is in a meeting right up until 4:00 p.m., when he is scheduled to meet with the Deputy.

s. 13(1)

Please note that this BN is also for the information of the AG.

Page 2 redacted for the following reason:

s. 13(1)

New Sanctions for Impaired Driving

In BC there are 133 fatalities each year from impaired driving. The Ministry of Public Safety and Solicitor General (PSSG) has identified "Increased Road Safety" as one of the key strategic priorities for the next three years.

Impaired Driving remains a major issue in BC as prevalence has been increasing over time. This is largely because the old system was not effective:

- 33% of total provincial court time in BC is spent on impaired cases;
- Of over 10,000 cases of drivers over .08 BAC only 7,347 proceed to court;
- It takes from 10 – 24 months to conclude a case through the courts;
- Average police time to support a routine case is 25 – 30 hours;
- Of those cases approved to court, 66% are found guilty;
- Approximately 22% of those cases are repeat offenders;
- Many impaired drivers end up with only a 24 hr prohibition because of the time and resources involved in pursuing a criminal charge;
- 37% of drivers who receive a 24 hour prohibition have been caught before – evidence the old sanctions were not working.

This new approach will enable drinking driving cases to be dealt with through a more efficient and lower cost administrative justice model that provides greater deterrents and more immediate, certain and escalating administrative sanctions for drinking drivers.

Goals of new approach:

- Provide police with the ability to impose swifter and stronger administrative sanctions to first time offenders at roadside.
- Focus Criminal Code impaired driving sanctions on repeat offenders and offenders who cause bodily harm or death.
- 90% reduction in enforcement effort required will allow police to address other pressures
- 78% reduction in the number of impaired cases in the court system will increase capacity and improve efficiency to address other pressures

Our goal is to reduce impaired driving fatalities by 35% by 2013.

Administrative Justice Sanctions

1

New Escalating Short Term Prohibitions (BAC in Warn Range)*

Administered at Roadside

All sanctions Accompanied by a
\$250 License Reinstatement Fee

Vehicle Impoundment Tied to
Prohibition Length

- 1st Offence = 3 Day Prohibition + \$200 Penalty
- 2nd Offence = 7 Day Prohibition + \$300 Penalty
- 3rd Offence = 30 Day Prohibition + \$400 Penalty

* While police would exercise discretion, it is generally
expected that when roadside screening device displays a
warning a 3, 7, or 30 day prohibition would be applied.

3 Sanctions
Trigger ...

User Pay Ignition Interlock Program (\$1,400/yr)

*Mandatory 1 year requirement to
have a breathalyser device
installed on vehicle ignition*



+

User Pay Responsible Driver Program (\$880)

*Mandatory Drinking Driver
Education and Counselling
Program*



Administrative Justice Sanctions (Cont.)

2

**New 90 Day Prohibition
(BAC in Fail Range)***

Administered at Roadside

\$250 License Reinstatement Fee +
\$500 Administrative Penalty

30 Day Vehicle Impoundment

**1 Sanction
Triggers ...**



**User Pay Ignition Interlock
Program (\$1,400/yr)**

*Mandatory 1 year requirement to
have a breathalyser device
installed on vehicle ignition*

+

**User Pay Responsible Driver
Program (\$880)**

*Mandatory Drinking Driver
Education and Counselling
Program*

* While police would exercise discretion, it is generally expected that when roadside screening device displays a fail a 90 day prohibition would be applied.

Early Indications:

- Police are very supportive of these changes and have been out in full force to enforce the new sanctions.
- Changes have been widely publicized and generating significant media interest.
- A report on the first month of implementation will be available by the end of October.
- The majority of the public supports tougher laws – some resistance from civil libertarians and the food and beverage industry.
- Drinking behaviour in licenced establishments is declining as patrons are unsure exactly how many drinks they can have without going over the limit of .05.

For more information: contact Steve Martin, Superintendent of Motor Vehicles
Stephen.Martin@gov.bc.ca

Voht, Angela E SG:EX

From: Blewett, Tyann M SG:EX
Sent: Monday, November 8, 2010 5:53 PM
To: Gerhart, Bradley SG:EX
Subject: Fw: Update

Let's strategize about how to do this tomorrow.

You will have to take the lead because it won't likely be finished before I'm gone but we can all do pieces. If I could cancel my vacation I would. This sucks.

Tyann Blewett
Director Policy & Research
OSMV

From: Martin, Stephen C SG:EX
Sent: Monday, November 08, 2010 05:39 PM
To: Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX; Gerhart, Bradley SG:EX
Subject: Fw: Update

Sigh

From: Wanamaker, Lori SG:EX
Sent: Monday, November 08, 2010 05:27 PM
To: Martin, Stephen C SG:EX; Ayers, Karen J HSD:EX
Subject: Update

Steve / Karen –

s. 22

The following are the issues identified by MRC that need to be considered in the public education / consultation strategy:

s.13

He wishes to be able to launch the campaign on Friday (although this may not be practical and I will take your advice).

Prepare a short Cabinet Submission. Must be finalized by Monday, November 15, 2010 for presentation on November 17. The submission must include:

s.12

DRAFT

Impaired Driving – Public Consultation Framework Ministry of Public Safety and Solicitor General Office of the Superintendent of Motor Vehicles

Summary and Context:

On September 20, 2010, government implemented new provincial Motor Vehicle Act laws relating to impaired driving. These laws were designed to reduce the prevalence of impaired driving, and reduce the number of impaired driving fatalities in our province. MAKE REFERENCE OR LINK HERE TO IMMEDIATE ROADSIDE PROHIBITIONS (Note attached IRP summery doc with my email)

The prevalence of impaired driving remains at a high level. A June 2010 survey conducted by the Canadian Center on Substance Abuse found that between Wednesday and Saturday nights one in every 53 BC drivers had a blood alcohol level of over 0.08, and one in every 71 drivers was found to have a blood alcohol level of between 0.05 and 0.08.

On average over the past five years impaired driving kills 133 people and causes more than 3,000 injuries, every year. The province's goal is to reduce alcohol-impaired driving fatalities by 35 per cent by the end of 2013. Taking into account projected increases in BC's population, this translates into a reduction in the average annual number of alcohol-impaired driving deaths from 133 to 94.

Scientific evidence shows that impairment begins well before someone who is consuming alcohol reaches 0.08 BAC. When you blood-alcohol concentration reaches 0.05, your co-ordination, sensitivity to brightness, ability to determine colours and depth perception become compromised. If you are drinking, your reaction time will be slower and responses less precise. Research shows that driving with a BAC between 0.05 and 0.08 means that you are seven times more likely to be in a fatal crash than if you have no alcohol in your body.

Draft Discussion Questions:

1. Do you think that the government has provided you with enough information to judge when you able to drive safely and be in compliance with the new law?
2. Do you understand your rights and responsibilities under the new impaired driving law?
3. Have the new impaired driving sanctions affected your decisions about drinking and driving?

4. Are there alternative transportation options in your community? Do you have any suggestions about alternative transportation options or other suggestions for safe rides home?
5. Do you believe that the new consequences for impaired drivers will change impaired driving behaviour?

Other Potential Questions

Have you used a BAC calculator or other online source of information to determine how much you could responsibly drink and still maintain safe driving practises?

Would you like restaurants and other licensed establishments to provide you with more information about what 0.05 BAC means?

Do you know why the new impaired driving sanctions were introduced for 0.05 BAC?

Were you aware of existing provincial laws and sanctions associated with driving with a BAC of between 0.05 and 0.08 prior to September 20, 2010?

Consultation Strategy: Similar to the public consultation for distracted driving, it is proposed that the consultation for the new impaired driving strategy be posted on the Ministry internet site for public comment and feedback for six weeks. In addition, the Ministry will work in collaboration with the Ministry of Citizen Services to take advantage of government's new commitment to use social media as a means of delivering services to citizens.

Legislation: See attached Appendix.

Voht, Angela E SG:EX

From: XT:Jimenez, Nicolas CAsE:IN
Sent: Monday, November 22, 2010 9:05 PM
To: Bieller, Barry HSD:EX; Ayers, Karen J HSD:EX
Cc: Blewett, Tyann M SG:EX; Jan Vrem, Mark
Subject: RE: Public education for Minister's note

thx barry.

I'm going to share it with our mktg/advertising agency to get them thinking abt options re: use in customer-facing collateral (tent cards, posters html banners, etc). I realize there are still discussions to be had within the ministry re: finalizing both content and range of options, but am hoping to parallel track some of this in the interests of time (which is running short if we want to take advantage of our counterattack program).

appreciate the quick follow up.

cheers

From: Bieller, Barry HSD:EX [mailto:Barry.Bieller@gov.bc.ca]
Sent: Monday, November 22, 2010 4:21 PM
To: Ayers, Karen J HSD:EX; Jimenez, Nicolas
Cc: Blewett, Tyann M SG:EX; Jan Vrem, Mark
Subject: RE: Public education for Minister's note

Hi Nicolas:

Attached are a couple of s.13 that we've been working on. As Karen noted, one incorporates time passage into the numbers while the other does not.

Regards,

Barry

From: Ayers, Karen J HSD:EX
Sent: Monday, November 22, 2010 11:56 AM
To: XT:Jimenez, Nicolas CAsE:IN
Cc: Blewett, Tyann M SG:EX; 'Jan Vrem, Mark'; Bieller, Barry HSD:EX
Subject: RE: Public education for Minister's note

s.13

From: Jimenez, Nicolas [mailto:Nicolas.Jimenez@icbc.com]
Sent: Monday, November 22, 2010 11:46 AM
To: Ayers, Karen J HSD:EX

Cc: Blewett, Tyann M SG:EX; Jan Vrem, Mark
Subject: RE: Public education for Minister's note

agree...i'll leave that to tyann.

no worries re: call. it's still be sorted out in terms of timing. i'll let u know as a heads up when it's scheduled in case u decide u want to join.

s. 13(1)

cheers

From: Ayers, Karen J HSD:EX [mailto:Karen.Ayers@gov.bc.ca]
Sent: Monday, November 22, 2010 8:58 AM
To: Jimenez, Nicolas
Cc: Blewett, Tyann M SG:EX; Jan Vrem, Mark
Subject: Re: Public education for Minister's note

Thanks. I am not able to participate. Only comment would be to add LCLB to bullet re updating SIR as that would be our responsibility.

o

From: Jimenez, Nicolas [mailto:Nicolas.Jimenez@icbc.com]
Sent: Monday, November 22, 2010 08:32 AM
To: Ayers, Karen J HSD:EX
Cc: Blewett, Tyann M SG:EX; Jan Vrem, Mark <Mark.JanVrem@icbc.com>
Subject: FW: Public education for Minister's note

hi karen,

a call is being set up to sort out roles and resp vis a vis impaired public education/awareness initiatives. not sure if this is something u feel u need to be a part of (esp given u're prob tied up this am), but wld certainly welcome your involvement if u felt appropriate.

cheers

From: Jan Vrem, Mark
Sent: Monday, November 22, 2010 8:29 AM
To: Jimenez, Nicolas; 'Blewett, Tyann M SG:EX'; 'Woolley, Paul PAB:EX'; Pan, Jeanie; 'Adair, Marisa PAB:EX'
Cc: Matthews, Lindsay; Brown, Cindy
Subject: RE: Public education for Minister's note
Importance: High

Hi everyone – further to the note going to the Minister – can we set up a call this morning with all the players to agree on our respective roles and responsibilities on the impaired education initiatives? There seem to be a few loose ends and a bit of confusion over who is doing what – so hopefully a call will provide clarity and we can all get on with the work that needs to be done in a very short time frame.

We've added a few comments and our thoughts on who should take the lead for the various items listed in Saturday's email from Tyann.

Nicolas, Tyann – could you please pass this on to the appropriate person at LCBC?

I'll send a Calendar invite for 10am.

Best..

Mark

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]

Sent: Saturday, November 20, 2010 3:20 PM

To: Jimenez, Nicolas

Subject: Public education for Minister's note

Here's what we're saying on the public education piece. I think its all your language but take a quick look and let me know if you have any concerns. I think its going forward late Sun or early Monday

1. Public Education and Awareness Campaign

In conjunction with the Liquor Distribution Branch and ICBC, the Ministry is proposing a public education campaign that will:

- Remind the public about the need to plan ahead when drinking to ensure they and others stay safe on BC's roads.
- Inform the public about the effects of alcohol so they are better able to make safe choices about their ability to legally operate a vehicle after consuming alcohol;
- Reassure the public that most people can enjoy a limited amount of alcohol over time and remain below the .05 BAC threshold; and
- Demonstrate that impairment exists between .05 and .08 BAC (see Appendix A).

The public education campaign will include the following components:

- **Enhancement of holiday Counterattack campaigns.** TV and radio ads will run over the holiday season. The message will move from focusing on the legal consequences of impaired driving to one that encourages people to drink responsibly and consider alternatives to drinking and driving as well as remind drivers that there is extra police enforcement over the holiday season. (ICBC and Police)
- **Designated Driver Campaign (materials distributed in bars and restaurants):** ICBC's existing campaign that helps people rethink when it's too late to call a designated driver and defines what a designated driver is will be expanded. A holiday theme has been added to washroom ads, posters and coasters. (ICBC)
- **Updating Liquor Control and Distribution Branch "Serving it Right" course material** and working with industry to develop and distribute materials through licensed liquor establishments; (ICBC, LDB, Industry)
- **Developing materials** that communicate the impact of alcohol at different levels; (OSMV)
- **Launch of redeveloped OSMV website** to provide an additional source of public information on the subject of impaired driving in BC; (OSMV, PAB)

- **Public Release of OSMV Impaired Driving Report Card** to provide information about impaired driving and British Columbia's progress towards reducing impaired driving fatalities. (See Appendix B for more details); (OSMV, PAB)
- **Increased awareness and promotion of safe transportation alternatives.** Longer-term options for promoting and raising awareness of safe transportation alternatives, including activities linked to the campaigns above, incentives to take safe rides home, possible partnership with transit authorities, and additional support to Operation Red Nose; (ICBC) and,
- **Social media:** Facebook and Twitter could be used to spread the message about safe and responsible drinking and driving, as well as providing links to information (ICBC, PAB)

.....
Mark Jan Vrem
Manager - Media Relations
Strategic Communications
ICBC building trust. driving confidence.

.....
 505 - 151 W. Esplanade
 North Vancouver | British Columbia | V7M 3H9
 tel: 604-982-2476 cell: 604-880-9833
 email: mark.janvrem@icbc.com

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Voht, Angela E SG:EX

From: Woolley, Paul PAB:EX
Sent: Monday, November 22, 2010 5:55 PM
To: 'Mark.JanVrem@icbc.com'; Blewett, Tyann M SG:EX; XT:Brown, Cindy FIN:IN
Subject: Re: Public education for Minister's note

There wasn't a meeting with the Minister but if you give me a ring in the morning, I can tell you what Lori, Steve and I discussed.

From: Jan Vrem, Mark [mailto:Mark.JanVrem@icbc.com]
Sent: Monday, November 22, 2010 05:31 PM
To: Blewett, Tyann M SG:EX; Woolley, Paul PAB:EX; XT:Brown, Cindy FIN:IN
Subject: Re: Public education for Minister's note

Hi Tyann and Paul - can you please bring us up to speed on the outcome of this morning's meeting with the Minister?

I trust it went well...

Thanks

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]
Sent: Monday, November 22, 2010 08:41 AM
To: Jan Vrem, Mark; Jimenez, Nicolas; Woolley, Paul PAB:EX <Paul.Woolley@gov.bc.ca>; Pan, Jeanie; Adair, Marisa PAB:EX <Marisa.Adair@gov.bc.ca>
Cc: Matthews, Lindsay; Brown, Cindy; Martin, Stephen C SG:EX <Stephen.Martin@gov.bc.ca>
Subject: RE: Public education for Minister's note

The meeting with the Minister has been delayed. Steve has asked that we wait until that happens and have clear direction on what we're going forward with. He is in a meeting with the DM and Paul all morning and would want to be part of any discussion on this.

Tyann Blewett

A/Director, Policy & Research
Office of the Superintendent of Motor Vehicles
phone: 250-953-3330

From: Jan Vrem, Mark [mailto:Mark.JanVrem@icbc.com]
Sent: Monday, November 22, 2010 8:29 AM
To: XT:Jimenez, Nicolas CASE:IN; Blewett, Tyann M SG:EX; Woolley, Paul PAB:EX; Pan, Jeanie; Adair, Marisa PAB:EX
Cc: XT:Matthews, Lindsay ICBC:IN; XT:Brown, Cindy FIN:IN
Subject: RE: Public education for Minister's note
Importance: High

Hi everyone - further to the note going to the Minister - can we set up a call this morning with all the players to agree on our respective roles and responsibilities on the impaired education initiatives? There seem to be a few loose ends and a bit of confusion over who is doing what - so hopefully a call will provide clarity and we can all get on with the work that needs to be done in a very short time frame.

We've added a few comments and our thoughts on who should take the lead for the various items listed in Saturday's email from Tyann.

Nicolas, Tyann - could you please pass this on to the appropriate person at LCBC?

I'll send a Calendar invite for 10am.

Best..

Mark

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]
Sent: Saturday, November 20, 2010 3:20 PM
To: Jimenez, Nicolas
Subject: Public education for Minister's note

Here's what we're saying on the public education piece. I think its all your language but take a quick look and let me know if you have any concerns. I think its going forward late Sun or early Monday

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- **Reassure the public that most people can enjoy a limited amount of alcohol over time and remain below the .05 BAC threshold; and**
- **Demonstrate that impairment exists between .05 and .08 BAC (see Appendix A).**

The public education campaign will include the following components:

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- **Developing materials that communicate the impact of alcohol at different levels;** (OSMV)
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.....
Mark Jan Vrem

Manager - Media Relations

Strategic Communications

ICBC building trust, driving confidence.

.....
 505 - 151 W. Esplanade

North Vancouver | British Columbia | V7M 3H9

tel: 604-982-2476 cell: 604-880-9833

email: mark.janvrem@icbc.com

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Voht, Angela E SG:EX

From: Jan Vrem, Mark [Mark.JanVrem@icbc.com]
Sent: Monday, November 22, 2010 8:47 AM
To: Blewett, Tyann M SG:EX; XT:Jimenez, Nicolas CASE:IN; Woolley, Paul PAB:EX; Pan, Jeanie; Adair, Marisa PAB:EX; Wynn-Williams, Vera PAB:EX; Sauer, Darwin PAB:EX
Cc: XT:Matthews, Lindsay ICBC:IN; XT:Brown, Cindy FIN:IN; Martin, Stephen C SG:EX
Subject: RE: Public education for Minister's note

Yes - agreed. Very important direction from the Minister and for Paul to be on the call.

Tyann, can I leave it to you and Paul to determine the best time for this call/meeting and then let the rest of us know?

Thanks..

Mark

.....
Mark Jan Vrem
Manager - Media Relations
Strategic Communications
ICBC building trust. driving confidence.
.....
505 - 151 W. Esplanade
North Vancouver | British Columbia | V7M 3H9
tel: 604-982-2476 cell: 604-880-9833
email: mark.janvrem@icbc.com

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]
Sent: Monday, November 22, 2010 8:42 AM
To: Jan Vrem, Mark; Jimenez, Nicolas; Woolley, Paul PAB:EX; Pan, Jeanie; Adair, Marisa PAB:EX
Cc: Matthews, Lindsay; Brown, Cindy; Martin, Stephen C SG:EX
Subject: RE: Public education for Minister's note

The meeting with the Minister has been delayed. Steve has asked that we wait until that happens and have clear direction on what we're going forward with. He is in a meeting with the DM and Paul all morning and would want to be part of any discussion on this.

Tyann Blewett
A/Director, Policy & Research
Office of the Superintendent of Motor Vehicles
phone: 250-953-3330

From: Jan Vrem, Mark [mailto:Mark.JanVrem@icbc.com]
Sent: Monday, November 22, 2010 8:29 AM
To: XT:Jimenez, Nicolas CASE:IN; Blewett, Tyann M SG:EX; Woolley, Paul PAB:EX; Pan, Jeanie; Adair, Marisa PAB:EX
Cc: XT:Matthews, Lindsay ICBC:IN; XT:Brown, Cindy FIN:IN
Subject: RE: Public education for Minister's note
Importance: High

Hi everyone - further to the note going to the Minister - can we set up a call this morning with all the players to agree on our respective roles and responsibilities on the Impaired education Initiatives? There seem to be a few loose ends and a bit of confusion over who is doing what - so hopefully a call will provide clarity and we can all get on with the work that needs to be done in a very short time frame.

We've added a few comments and our thoughts on who should take the lead for the various items listed in Saturday's email from Tyann.

Nicolas, Tyann – could you please pass this on to the appropriate person at LCBC?

I'll send a Calendar invite for 10am.

Best..

Mark

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]

Sent: Saturday, November 20, 2010 3:20 PM

To: Jimenez, Nicolas

Subject: Public education for Minister's note

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- **Updating Liquor Control and Distribution Branch "Serving it Right" course material and working with industry to develop and distribute materials through licensed liquor establishments; (ICBC, LDB, Industry)**
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.....
Mark Jan Vrem
 Manager - Media Relations
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Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Monday, November 22, 2010 8:37 AM
To: Blewett, Tyann M SG:EX
Subject: Re: Public education for Minister's note

Can u call me

From: Blewett, Tyann M SG:EX
Sent: Monday, November 22, 2010 08:35 AM
To: Martin, Stephen C SG:EX
Subject: FW: Public education for Minister's note

FYI – I told Nicolas I would share what was in the note going forward and it looks like they're going gangbusters with a meeting – do you want to suggest they delay until after you talk with Lori?

Tyann Blewett

A/Director, Policy & Research
Office of the Superintendent of Motor Vehicles
phone: 250-953-3330

From: Jan Vrem, Mark [mailto:Mark.JanVrem@icbc.com]
Sent: Monday, November 22, 2010 8:29 AM
To: XT:Jimenez, Nicolas CSe:IN; Blewett, Tyann M SG:EX; Woolley, Paul PAB:EX; Pan, Jeanie; Adair, Marisa PAB:EX
Cc: XT:Matthews, Lindsay ICBC:IN; XT:Brown, Cindy FIN:IN
Subject: RE: Public education for Minister's note
Importance: High

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I'll send a Calendar invite for 10am.

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Mark

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]
Sent: Saturday, November 20, 2010 3:20 PM
To: Jimenez, Nicolas
Subject: Public education for Minister's note

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Pages 22 through 38 redacted for the following reasons:

Section 12 (Cabinet confidences)

Voht, Angela E SG:EX

From: XT:Jimenez, Nicolas CAsE:IN
Sent: Sunday, November 21, 2010 6:20 AM
To: Blewett, Tyann M SG:EX
Subject: Re: Public education for Minister's note

Ok. If u guys are pitching this, not sure why u wldnt put it in the note if u want it part of the overall approach.

s.13

Enjoy your sunday.

Cheers

Nicolas Jimenez, Director Road Safety, ICBC
(604) 982-7204 (w)
(604) 250-1045 (o)

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]
Sent: Sunday, November 21, 2010 12:04 AM
To: Jimenez, Nicolas
Subject: Re: Public education for Minister's note

Thanks. This is just a draft for the DM to discuss with Minister and get decision on a few things. The and event are something we need a yes no on before we do further planning. I will pass your comments on and if we have to go to Cabinet we will collaborate more fully (and hopefully not over a weekend). Thanks for looking at this.

s.13

Tyann Blewett
Director Policy & Research
OSMV

From: Jimenez, Nicolas [mailto:Nicolas.Jimenez@icbc.com]
Sent: Saturday, November 20, 2010 10:52 PM
To: Blewett, Tyann M SG:EX
Cc: Jan Vrem, Mark <Mark.JanVrem@icbc.com>; XT:Matthews, Lindsay ICBC:IN; XT:Brown, Cindy FIN:IN
Subject: RE: Public education for Minister's note

hi there,

thx for this.

i made a few suggested edits below (highlighted). in particular, i added an objective as the campaign u described dealt with only part of what we're doing (ie, they don't reflect the thrust of both the CA and designated driver campaigns).

s.13

I'll be out of mobile range until 4pm, but I've cc'd cindy/mark/lindsay who can provide direct feedback both on your content below and follow-up questions.

cheers

From: Blewett, Tyann M SG:EX [mailto:Tyann.Blewett@gov.bc.ca]

Sent: Saturday, November 20, 2010 3:20 PM

To: Jimenez, Nicolas

Subject: Public education for Minister's note

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Voht, Angela E SG:EX

From: XT:Jimenez, Nicolas C AS:IN
Sent: Friday, November 19, 2010 4:53 PM
To: Blewett, Tyann M SG:EX
Subject: content

hi there,

i found the text we'd updated re: public awareness. hope this helps.

cheers

Approach

s.12

.....

Nicolas Jimenez

Director, Road Safety

ICBC building trust. driving confidence.

.....

telephone: 604-982-7204 | mobile: 604-250-1045

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Voht, Angela E SG:EX

From: Ayers, Karen J HSD:EX
Sent: Friday, November 19, 2010 1:42 PM
To: Blewett, Tyann M SG:EX
Cc: Mazzei, Linda D SG:EX; XT:Jimenez, Nicolas C AS:IN
Subject: RE: Update on call with Industry and ICBC

Hi Tyann. Contact for ICBC is Nicolas Jimenez, who I have cc'd on your query.

Karen

From: Blewett, Tyann M SG:EX
Sent: Friday, November 19, 2010 1:02 PM
To: Ayers, Karen J HSD:EX
Cc: Mazzei, Linda D SG:EX
Subject: Update on call with Industry and ICBC
Importance: High

Hi Karen. Steve asked me to follow up re: your call this morning with ICBC and industry on the public education piece. Is there someone we can connect with to get details on what industry and ICBC are doing so we can include it in our materials going forward to the Minister? Steve mentioned something about ICBC giving industry some funding to do tent cards etc? Do you have any details?

Tyann Blewett

A/Director, Policy & Research
Office of the Superintendent of Motor Vehicles
phone: 250-953-3330

Voht, Angela E SG:EX

From: Gerhart, Bradley SG:EX
Sent: Friday, November 19, 2010 10:54 AM
To: Blewett, Tyann M SG:EX
Cc: Mazzei, Linda D SG:EX
Subject: FW: Impaired education campaign comm plan

Importance: High

This is the most up to date version of the com plan that we have.

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 3:57 PM
To: Lowther, Brett PAB:EX
Cc: Wanamaker, Lori SG:EX; Ayers, Karen J HSD:EX; Blewett, Tyann M SG:EX; Gerhart, Bradley SG:EX; Martin, Stephen C SG:EX
Subject: FW: Impaired education campaign comm plan
Importance: High

Loos good Brett only some minor medications. Lori indicated SG time is very limited so we should just get this over to the MO.

I will send you some Q/A material later today on the recalibration issue – Lori is keen for you to review this and thinks that government should get in front of this issue rather than laying in the weeds and reacting once this becomes widely known. This is our most pressing communications issue as the SG wants us to proceed immediately with the plan for recalibration, which requires ASAP communication with police across the province.



Impaired driving
comm plan.doc...

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Lowther, Brett PAB:EX
Sent: Tuesday, November 9, 2010 3:09 PM
To: Wanamaker, Lori SG:EX; Ayers, Karen J HSD:EX; Martin, Stephen C SG:EX
Subject: Impaired education campaign comm plan
Importance: High

Hi there – As discussed, I would like to share this with the Minister's office by end of day today. Please approve. This is not intended to be the definitive version, but rather a draft version of the basic ideas that have been put forward.

Thx
Brett

Pages 47 through 59 redacted for the following reasons:

S. 12, 13, 15

Voht, Angela E SG:EX

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 11, 2010 5:27 PM
To: Martin, Stephen C SG:EX
Cc: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: FW: Ipsos survey on public's awareness of new impaired legislation
Attachments: RSTS Impaired.pdf

Hi Steve,

Wanted to flag for you the results of the June 2010 Ipsos Reid Survey done by ICBC on the public's awareness of the new impaired driving legislation, this will be useful as pre-survey for the upcoming public consultations.

Cheers,
Brad.

From: Siemens, Joelle SG:EX
Sent: Wednesday, November 10, 2010 2:47 PM
To: Blewett, Tyann M SG:EX; Arason, Neil SG:EX; Gerhart, Bradley SG:EX; Brazier, Heather M SG:EX
Subject: Ipsos survey on public's awareness of new impaired legislation

Results of the Ipsos Reid Survey on the public's awareness of the new legislation. This may be useful for the consultation document.

From: Taylor, Kathy (Media Rel) [<mailto:Katalin.Taylor@icbc.com>]
Sent: Wednesday, November 10, 2010 2:42 PM
To: Siemens, Joelle SG:EX
Cc: Gerhart, Bradley SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Joelle,

Attached are the impaired driving related questions that were part of our June 2010 Ipsos Reid survey. Apologies again that it took longer than anticipated to have this report finalized.

Please let us know if you have any plans to use this info externally.

Many thanks,
Kathy

From: Siemens, Joelle SG:EX [<mailto:Joelle.Siemens@gov.bc.ca>]
Sent: Wednesday, November 10, 2010 9:19 AM
To: Taylor, Kathy (Media Rel)
Cc: Gerhart, Bradley SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Kathy,
Any update on this survey?

Thanks a lot,
Joelle.

Page 151 to/à Page 156

Withheld pursuant to/removed as

Copyright

Voht, Angela E SG:EX

From: Louie, Toby I SG:EX
Sent: Tuesday, November 9, 2010 4:59 PM
To: Ayers, Karen J HSD:EX; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX
Cc: Lowther, Brett PAB:EX
Subject: RE: ICBC Info for brokers - current options for bar owners

It is good info. If it is used, we'll need to plain language as it is geared for insurance brokers. I'll send the final from ICBC to everyone, as well as their BN, when I get it.

From: Ayers, Karen J HSD:EX
Sent: Tuesday, November 9, 2010 4:54 PM
To: Louie, Toby I SG:EX; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX
Cc: Lowther, Brett PAB:EX
Subject: RE: ICBC Info for brokers - current options for bar owners

This would be valuable information to get out to licensees. Perhaps include it in the communications plan?

From: Louie, Toby I SG:EX
Sent: Tuesday, November 9, 2010 4:30 PM
To: Martin, Stephen C SG:EX; Ayers, Karen J HSD:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX
Cc: Lowther, Brett PAB:EX
Subject: ICBC Info for brokers - current options for bar owners

ICBC is working on vehicle insurance options. They will have a

s.13

In the meantime, attached is a draft of info on existing options that ICBC is preparing for their brokers. I haven't seen the final yet, so forwarding you this earlier draft.

Toby

From: Atherton, Jerome [<mailto:Jerome.Atherton@icbc.com>]
Sent: Tuesday, November 9, 2010 12:27 PM
To: Louie, Toby I SG:EX
Cc: XT:Matthews, Lindsay ICBC:IN
Subject: RE: **urgent** Info for brokers - current options for bar owners

Good point. We'll make that change.

From: Louie, Toby I SG:EX [<mailto:Toby.Louie@gov.bc.ca>]
Sent: Tuesday, November 09, 2010 12:21 PM
To: Atherton, Jerome
Cc: Matthews, Lindsay
Subject: RE: **urgent** Info for brokers - current options for bar owners

Thanks Jerome. This looks fine to me. I would ask you perhaps to re-think the wording in the first sentence. Perhaps something like ..with the new impaired driving penalties ...(or something a little more objective)

With stiff impaired-driving penalties in effect..

I want to share whatever info you send with Karen Ayers as this same info may end up with licensed establishments.

From: Atherton, Jerome [mailto:Jerome.Atherton@icbc.com]
Sent: Tuesday, November 9, 2010 12:07 PM
To: Louie, Toby I SG:EX
Cc: XT:Matthews, Lindsay ICBC:IN
Subject: **urgent** Info for brokers - current options for bar owners
Importance: High

Toby – we are getting a lot of questions for brokers on what they can advise their restaurant and bar clients as to what their current options are and we plan to sent them the attached Q and A shortly. Wanted to loop you in first – any issues?

Jerome

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Insurance options for a designated driver program

With stiff impaired-driving penalties in effect, many businesses want to provide a "ride home service" to their patrons.

Here are three possible options that bars, restaurants and other businesses (service providers) may offer their patrons to get them home safely:

- Enter into a special arrangement with a taxi company to get patrons home
- Shuttle patrons home in the service provider's own vehicle
- Provide a service to drive the patron home in the patron's own vehicle

Shuttle patrons home in the service provider's own vehicle

Q: Is this service considered a taxi?

A: Please refer customers to the Passenger Transportation Branch (PTB). The branch makes the determination if the service requires a Passenger Transportation licence.

Q: What rate class is required?

A: One of the 600 series rate classes that apply to the vehicle used as a bus, taxi or limousine, unless the vehicle has multiple uses, in which case they must use the rate class that commands the highest basic annual premium. See the Autoplan Manual, vol. 2, sec 8, Vehicle Use.

Q: What class of driver's licence is required?

A: For driver licensing requirements, please refer to Driver Services at 1-800-950-1498.

Q: What if the bar or restaurant occasionally asks one of their employees to drive a patron home?

A: The employee would need to be correctly rated for this use. See Autoplan Manual, vol. 2, sec 8. In addition to ensuring the employee vehicle is rated correctly, there is a policy available for the employer to purchase which provides additional liability for the operation of a vehicle on behalf of the employer. This is a Special Coverage policy (APV29) Non-Owned Auto. See the Autoplan Manual, vol 3, sec 2.8B

Provide a service to drive the patron home in the patron's own vehicle

Many businesses would like to provide a designated driver to drive their patrons home in the convenience of their patrons' own vehicles.

There is no requirement for the business to obtain additional insurance coverage, provided the customer's vehicle has active insurance then the policy attached to the vehicle would respond to an at-fault loss.

ICBC has insurance products that may help protect bars/restaurants and service providers when providing this service. The business can choose to purchase from ICBC the following optional policies:

- (APV29) Non-Owned Automobile Policy which provides additional protection for the company due to an at-fault claim.
- (APV27) Policy of Damage Insurance Covering Non-Owned Vehicles
- Optional Valet Policy

Q: What coverage is provided by the (APV29) Non-Owned Automobile Policy?

A: Non-Owned Automobile Policy (APV29) which is designed to provide Third-Party Liability to protect the organization should they be held vicariously liable for the volunteer's operation of the non-owned vehicle.

Q: What coverage is provided by the (APV27) Policy of Damage Insurance Covering Non-Owned Vehicles?

A: This policy provides Collision, Comprehensive or Specified Perils coverage to firms or individuals who wish to protect themselves for loss or damage while operating a non-owned vehicle (rented or borrowed).

Q: Who does the Valet Policy protect?

A: The policy is designed to protect the valet service provider. In the event of a loss while operating the patron's vehicle, the policy protects the service provider by ensuring there is adequate coverage. Their customers benefit because claims paid under this policy will not impact the customers' insurance.

Q: What coverages are offered?

A: Coverages Included are:

- \$5,000,000 Third Party Liability
- \$500 Collision
- \$500 Comprehensive

There is a limit of \$100,000 for own damage coverage on each customer vehicle. The patron's vehicle must be limited to a private passenger or commercial vehicle with a GVW of not more than 5,500 kg. Because this is a six-month policy, financing is not available.

Q: Is there any special vehicle or driver licensing required?

A: The valet service provider must contact the Passenger Transportation Branch (PTB) to discuss their requirements as the service provider may be required to have a PT reference number. They should also contact Driver Licensing at 1-800-950-1498 to determine driver licence requirements.

Q: What information does ICBC require to provide a quote on a Valet Policy?

A: To provide a quote, ICBC requires this information:

- The territory in which the service is being operated

- How many customers' vehicles will be on the road at any one time

Q: After receiving a quote, what happens when the service provider wants to purchase the policy?

A: ICBC's Underwriting department will work directly with the broker in issuing the policy and, in addition to the information above, will require the following:

- a complete list of valet drivers including their B.C. driver licence number
- a copy of the business licence provided by the municipality
- Passenger Transportation Branch reference number (if required by PTB)
- effective date of policy
- broker number, name and contact information

Q: What rate class would apply to the vehicle that is following the customer's vehicle home?

A: The vehicle that is following the customers vehicle home should be rated for business use, unless the vehicle has multiple uses, in which case the rate class that commands the highest basic annual premium must be used.

Q: What rate class would apply if a business uses their own vehicle to take the customer home?

A: Depending on the situation, in most cases one of the 600 series would apply unless the vehicle has multiple uses, in which case the rate class that commands

Q: What if a business is hosting a special event and wants to offer a valet parking service in return for donations?

A: Please contact ICBC's Garage Underwriting department at 604-681-6890.

Q: Where can I get more information on the Valet Policy?

A: If you have any further questions, please contact BEU.

Voht, Angela E SG:EX

From: Siemens, Joelle SG:EX
Sent: Tuesday, November 9, 2010 4:24 PM
To: Gerhart, Bradley SG:EX
Cc: Blewett, Tyann M SG:EX; Arason, Neil SG:EX
Subject: For your consultation paper - Ipsos survey on public awareness of the new impaired legislation

We should be receiving the results of the Ipsos Reid survey on the public's awareness of the new impaired legislation fairly soon. I will follow up with Kathy again tomorrow. This information might be useful for your consultation document.

From: Taylor, Kathy (Media Rel) [mailto:Katalin.Taylor@icbc.com]
Sent: Thursday, November 4, 2010 10:59 AM
To: Siemens, Joelle SG:EX
Cc: Brazler, Heather M SG:EX
Subject: RE: Ipsos survey on public's awareness of new Impaired legislation

Hi Joelle,

I was hoping to be able to say the report is ready as of today, but unfortunately it isn't yet. The good news is I've been advised it should be ready within the next week. Fingers crossed!

And I'll definitely keep you posted.

Thanks for your patience!
Kathy

From: Siemens, Joelle SG:EX [mailto:Joelle.Siemens@gov.bc.ca]
Sent: Tuesday, November 02, 2010 2:02 PM
To: Taylor, Kathy (Media Rel)
Cc: Brazier, Heather M SG:EX
Subject: RE: Ipsos survey on public's awareness of new Impaired legislation

Hi Kathy,
Any updates on this survey?

Thanks a lot,
Joelle.

From: Siemens, Joelle SG:EX
Sent: Wednesday, September 29, 2010 4:23 PM
To: XT:Taylor, Katalin FIN:IN
Cc: Brazier, Heather M SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Thanks Kathy

From: Taylor, Kathy (Media Rel) [mailto:Katalin.Taylor@icbc.com]
Sent: Wednesday, September 29, 2010 4:22 PM
To: Siemens, Joelle SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Joelle,

It wasn't ready Sept 17th, but I've followed up again. I'll keep you posted.

Thanks,
Kathy

From: Siemens, Joelle SG:EX [mailto:Joelle.Siemens@gov.bc.ca]
Sent: Wednesday, September 29, 2010 4:18 PM
To: Taylor, Kathy (Media Rel)
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Kathy,

Any update on the Ipsos Reid survey?

From: Taylor, Kathy (Media Rel) [mailto:Katalin.Taylor@icbc.com]
Sent: Thursday, August 19, 2010 1:27 PM
To: Siemens, Joelle SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Joelle,

Given it's been a couple of weeks, I just followed up on this and have learned that it will be ready mid-September.

I'll follow-up again closer to that time.

Thanks,
Kathy

From: Siemens, Joelle SG:EX [mailto:Joelle.Siemens@gov.bc.ca]
Sent: Thursday, August 05, 2010 1:36 PM
To: Taylor, Kathy (Media Rel)
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Great thank you very much Kathy. And I look forward to seeing the survey in a couple weeks then.

From: Taylor, Kathy (Media Rel) [mailto:Katalin.Taylor@icbc.com]
Sent: Thursday, August 5, 2010 1:34 PM
To: Siemens, Joelle SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Joelle,

I was hoping to be able to provide you with the actual study, but unfortunately it's not finalized yet. It should be available in a couple of weeks. As soon as it's ready I'll forward you a copy. In the meantime, to give you an idea here are the questions that were asked (survey was fielded June 17-28):

- *Have you recently read, seen or heard about changes that will be made to the impaired driving laws in British Columbia?*
- *Before this survey, were you aware that the proposed changes to the impaired driving law will have harsher penalties starting at a blood alcohol count of .05?*
- *Before this survey, were you aware that with these new laws, British Columbia will have the toughest drinking and driving laws in Canada?*

Thanks,
Kathy

.....
Katalin (Kathy) Taylor
Senior Communications Specialist
ICBC Media Relations

.....
#505 - 151 W. Esplanade
North Vancouver | British Columbia | V7M 3H9
direct: 604-982-2480
facsimile: 604-982-2491 | mobile: 604-816-7983

From: Siemens, Joelle SG:EX [mailto:Joelle.Siemens@gov.bc.ca]
Sent: Wednesday, August 04, 2010 1:26 PM
To: Taylor, Kathy (Media Rel)
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hello again Kathy,
Have you had any luck locating the Ipsos Reid survey?

Thank you,
Joelle.

From: Taylor, Kathy (Media Rel) [mailto:Katalin.Taylor@icbc.com]
Sent: Friday, July 23, 2010 12:03 PM
To: Siemens, Joelle SG:EX
Subject: RE: Ipsos survey on public's awareness of new impaired legislation

Hi Joelle,

There was an Ipsos Reid survey on the awareness of the legislation. I'm tracking down a summary of results doc for you.

Thanks,
Kathy

From: Siemens, Joelle SG:EX [mailto:Joelle.Siemens@gov.bc.ca]
Sent: Thursday, July 22, 2010 3:32 PM
To: Taylor, Kathy (Media Rel)
Subject: Ipsos survey on public's awareness of new impaired legislation

Hello Katalin,

I am wondering if you know of an Ipsos survey done in BC on the public's awareness of the new impaired legislation? I was told this was done for ICBC, but I can't seem to find it.

Thank you,

Joelle Siemens

Policy and Data Analyst

Office of the Superintendent of Motor Vehicles

Public Safety and Solicitor General

250-356-6315

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COMMUNICATIONS PLAN

Ministry of Public Safety and Solicitor General – Public Affairs Bureau

Subject: Responsible drinking – Education campaign options

Background/Context/Environmental scan:

On September 20, 2010, new penalties, including immediate impoundment of the driver's vehicle, came into effect for people driving while impaired.

Since then, bar and restaurant owners are reporting a significant drop in business because many people are afraid to drink any amount of alcohol and drive. The general public appears to be unsure of what .05 BAC means in terms of how much alcohol, and over what period of time, they can consume and still remain below the .05 threshold.

As well, police are currently impounding the vehicles of about 90 per cent of all people who are stopped by police and have a BAC of between .05 and .08, despite the fact that impoundment is discretionary for those in this "warn" range on the first and second occasion.

s.14, s.13

EXTERNAL COMMUNICATIONS:

Purpose:

- Reassure the public that a person can enjoy a limited amount of alcohol over time and remain below the .05 BAC threshold.

Goals/Objectives:

- Help people determine how much alcohol they can consume and drive both safely and legally.

Potential Challenges:

It will be difficult to avoid the perception that government is condoning, or even encouraging, drinking and driving. Government may be accused of pandering to the bar, pub and restaurant industry.

Key Audiences:

- General public.
- Those who have stopped consuming alcohol at bars and restaurants for fear of being caught for impaired driving.

- People who may still be going to pubs, bars and restaurants, but are unsure of how many drinks they can have and still drive legally and safely.

Messaging:

- B.C. introduced Canada's toughest impaired driving penalties in September because we're serious about safety and saving lives.
- As with any new legislation, it is important to take a look at how it's working, and that's what we're going to do. We're also going to better educate the public and the police.
- We know that most people are able to safely and legally drive their vehicles if they drink small amounts of alcohol over time, so we're saying that most people can enjoy a glass of wine with dinner or have a beer after work.
- It is still every driver's responsibility to know how much alcohol they can consume over what time period to safely and legally operate a motor vehicle.
- There are a number of tools people can use to help you make informed and responsible decisions about when they are safe and legal to drive.

s.13

Materials:

- Event plan
- Info bulletin
- Q&As
- Speaking notes
- Ministry website
- Information to be distributed via BCRFSA and BC liquor stores, etc

Evaluation:

- Media analysis

- Better public knowledge reflected in answers given during consultation.
- Behavioural change – improvement in number of people visiting pubs, bars and restaurants.

INTERNAL COMMUNICATION - POLICE:

Purpose:

s.13

Goals and Objectives:

s.13

Potential Challenges:

s.13

Key Audience:

Police officers with the RCMP and the municipal forces.

Materials:

- Wallet card (cheat-sheet)
- One-page handout of top 10 errors made
- Locker room poster
- Email memo from supervisor

Evaluation:

Review the number of vehicles impounded and the number of errors made by officers in issuing roadside prohibitions.

STAKEHOLDER COMMUNICATION – HOSPITALITY INDUSTRY

Purpose:

Demonstrate to bar, pub and restaurant owners that the Government is trying to mitigate the negative impact of the new impaired driving penalties on their business by:

- Educating the public that it is both safe and legal to consume small amounts of alcohol over a period of time and drive a vehicle.
- Exploring ways the industry can assist their customers to return home without driving if they are over the .05 BAC threshold. EG – working with ICBC.
- Reviewing the legislation in the Spring session.

Goals and Objectives:

Satisfy the industry that Government is taking reasonable steps to alleviate the fear the public has around having any amount of alcohol and driving their vehicle.

Potential Challenges:

Industry may be dissatisfied with Government's efforts and want Government to go farther in its communications efforts.

Key Audience:

- BC Restaurant and Foodservices Association (BCRFA)
- Individual bar, pub and restaurant owners.

Strategic Approach:

- 1) Review of legislation and external communications approach will demonstrate Government's commitment to addressing the industry's decline in business by educating potential customers.
- 2) Ministry can work with the industry to explore the possibility of developing a category of insurance under ICBC that would allow pub, bar and restaurant owners to provide a ride home to customers who are legally impaired, but at a cost that is not prohibitive to the industry.

- 3) Government can explore the possibility of ensuring there is transit available after bars close in communities that have transit to allow customers to return home without having to drive.

Evaluation:

Review public statements being made by the BCRFA and individual owners.

Brett Lowther
Communications Manager
Public Safety and Solicitor General
November 5, 2010
250 356-0727

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:25 PM
To: Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Cc: Melvin, Stephanie SG:EX; Martin, Stephen C SG:EX
Subject: FW: Draft Public Consultation Framework
Attachments: Impaired Driving Public Consultation Framework Nov 08 2010.docx; immediate-roadside-prohibition-penalties.pdf

Importance: High

Suggest we now just wait for PAB comments

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:23 PM
To: Lowther, Brett PAB:EX
Cc: Ayers, Karen J HSD:EX
Subject: Fw: Draft Public Consultation Framework
Importance: High

Brett as discussed on the call - still have not heard back from Lori so suggest we just proceed with you folks reviewing.

From: Ayers, Karen J HSD:EX
Sent: Tuesday, November 09, 2010 01:19 PM
To: Martin, Stephen C SG:EX
Cc: Wanamaker, Lori SG:EX
Subject: FW: Draft Public Consultation Framework

Thanks Steve. Couple of suggestions noted in the document.

Karen

From: Martin, Stephen C SG:EX
Sent: Monday, November 8, 2010 9:38 PM
To: Wanamaker, Lori SG:EX; Ayers, Karen J HSD:EX
Subject: Draft Public Consultation Framework
Importance: High

Here is a draft consultation framework to get us started. We have set it up to be similar to the one we did in 2009 for the distracted driving laws. Sending it to you both first for comment before sending off to PAB. The PDF file is just a summary of the new sanctions which could be included in the document or as a link.

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 9, 2010 1:16 PM
To: Lowther, Brett PAB:EX
Cc: Wanamaker, Lori SG:EX
Subject: FW: Op Ed as requested

Importance: High

Have looked this over – very impressive. Have added two sentences for consideration.



OSMV - Impaired
Review and Edu...

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Lowther, Brett PAB:EX
Sent: Tuesday, November 9, 2010 12:53 PM
To: Wanamaker, Lori SG:EX; Martin, Stephen C SG:EX
Subject: Op Ed as requested
Importance: High

Hi there – Tobie has signed this off but needs approval from you asap. This needs to go out today.

brett

OPINION-EDITORIAL

EDUCATION WILL SUPPORT LIFE-SAVING IMPAIRED PENALTIES

By Rich Coleman

Minister of Public Safety and Solicitor General

Nov. 9, 2010

(562 words)

British Columbia has had Canada's toughest drinking-driving penalties for almost two months, and it is timely for the Province to examine the new rules to ensure they are working effectively.

We want people to make good choices, and we want safer roads. But we also want a fair system that the public supports, so we committed to look at the results of our approach.

What has become increasingly clear is the need for more public education, so that British Columbians can make well-informed, responsible decisions, and for police to consider the discretion available to them around impounding vehicles.

People need to know that they are able to safely and legally drive their vehicles if they drink small amounts of alcohol over time. Most people can still enjoy a glass of wine with dinner or a beer after work.

This is entirely consistent with the 0.05 per cent blood-alcohol content (BAC) threshold, which has been in place in B.C. since 1977. Only the penalties have changed. Before Sept. 20, police were imposing 24-hour driver's licence suspensions at the roadside on any driver tested with a 0.05 breath sample. The driver's vehicle could also be impounded for 24 hours, at an officer's discretion.

Why did we get tougher on drivers at the 0.05 threshold? One of the reasons was that police were handing out 30,000 to 40,000 of the 24-hour suspensions to those in the "warn" range each year, and over 37 percent of citizens receiving these sanctions were repeat offenders. In addition we know that the risk of being involved in a fatal crash is approximately 7 times greater at a BAC in the range of 0.05 to 0.08 compared to 0 BAC. With those kinds of numbers, we knew that changes needed to be made.

But one effect of those changes is that the new penalties are causing many responsible people – people who are not a threat to road safety – to err on the side of extreme caution.

A number of tools, including online calculators and personal blood-alcohol readers, are available that help people make informed decisions about when they are safe and legal to drive. In the coming weeks, the Province will be examining the value of these tools in supporting our efforts to improve road safety. We will also look into how more public education can continue to support responsible drivers in making safe decisions when they go out for a meal or celebrate with friends.

Our educational efforts will extend to police officers at the roadside. The fact is, they still have discretion over whether or not to impound the vehicle of someone who's caught once or twice in

the "warn" range of 0.05 to 0.08 per cent BAC. There's still the option of parking a vehicle, if it is safe to do so, or allowing a sober passenger or friend to get a vehicle home.

Still, I'm concerned about the number of tows, which is far higher than we anticipated. So, I've discussed with law enforcement leaders the need to reinforce the "discretion" message with officers, and committed to strengthening police training about the new rules.

We know the public supports our efforts to keep dangerous drivers from killing and injuring people on B.C.'s roads. What we're committing to now is further education, consultation with the public, the hospitality industry, police and others, and a willingness to revisit the legislation next spring, if necessary.

The law can't work for our Province if it's based on widespread and unreasonable fear. The new rules, and their enforcement, must be understood and accepted by the public - and we intend to work quickly to ensure they are.

-30-

Voht, Angela E SG:EX

From: Gilmour, Lori SG:EX
Sent: Friday, November 5, 2010 10:04 AM
To: Blewett, Tyann M SG:EX
Subject: FW: MADD Ad

FYI - this may or may not go ahead. Karen wants it to happen today.

From: Lowther, Brett PAB:EX
Sent: Friday, November 5, 2010 9:57 AM
To: Ayers, Karen J HSD:EX; Martin, Stephen C SG:EX; Gilmour, Lori SG:EX
Cc: Cournoyer, Vince PAB:EX; Bieller, Barry HSD:EX; Jones, Kathleen HSD:EX
Subject: Re: MADD Ad

Okay - Not sure what's been happening for six weeks - I just got this file two days ago.

Vince and I could do a conference call around noon or 2:00 pm today if someone can send us the dial-in numbers.

Brett

From: Ayers, Karen J HSD:EX
Sent: Friday, November 05, 2010 09:46 AM
To: Lowther, Brett PAB:EX; Martin, Stephen C SG:EX; Gilmour, Lori SG:EX
Cc: Cournoyer, Vince PAB:EX; Bieller, Barry HSD:EX; Jones, Kathleen HSD:EX
Subject: RE: MADD Ad

It looks like Monday is a challenge for others, and discussion amongst the admins is now about moving this to Tuesday. I think we need to make getting on with this a priority - the Minister first made his request to us to get information out to the industry about 6 weeks ago, the industry is "chomping at the bit" wondering what is taking so long, so I would appreciate if we could all make this a priority. Thanks.

From: Lowther, Brett PAB:EX
Sent: Friday, November 5, 2010 8:48 AM
To: Martin, Stephen C SG:EX; Ayers, Karen J HSD:EX; Gilmour, Lori SG:EX
Cc: Cournoyer, Vince PAB:EX; Bieller, Barry HSD:EX
Subject: RE: MADD Ad

Monday is better for me. With Paul away, I have a number of meetings scattered throughout the day. It would also give Vince a chance to update the comm. plan based on his meeting with OSMV yesterday.

brett

From: Martin, Stephen C SG:EX
Sent: Thursday, November 4, 2010 6:13 PM
To: Ayers, Karen J HSD:EX; Gilmour, Lori SG:EX
Cc: Cournoyer, Vince PAB:EX; Lowther, Brett PAB:EX; Bieller, Barry HSD:EX; Woolley, Paul PAB:EX
Subject: RE: MADD Ad

Sounds good - will get Lori G to set something up for tomorrow. cc to Vince as the Comm Plan architect

Steve

S.C. (Steve) MARTIN

attempt to figure out what you can drink and still drive and that was given as an example of inconsistent and confusing messaging.

They understand government may be concerned about providing the information and suggest that industry wants to be communicating the information, if we can provide them with the updated SIR it in the manner we usually do - ie downloadable from our website so they can print off posters, tent cards etc.

Karen

Not Responsive

From: Martin, Stephen C SG:EX
Sent: Tuesday, November 16, 2010 4:19 PM
To: Melvin, Stephanie SG:EX; Gerhart, Bradley SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: Re: draft Cab sub insert -

s.13

From: Melvin, Stephanie SG:EX
Sent: Tuesday, November 16, 2010 04:15 PM
To: Gerhart, Bradley SG:EX; Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert -

s.12

s.12

From: Gerhart, Bradley SG:EX
Sent: Tuesday, November 16, 2010 2:44 PM
To: Martin, Stephen C SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert -
Importance: High

s.12

s.12

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Friday, November 12, 2010 2:36 PM
To: Gerhart, Bradley SG:EX
Cc: Louie, Toby I SG:EX; Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: RE: draft Cab sub insert -

s.12

Steve

S.C. (Steve) MARTIN
 Superintendent of Motor Vehicles
 Ministry of Public Safety & Solicitor General
 Bus: (250) 387-5692
 Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Friday, November 12, 2010 9:48 AM
To: Louie, Toby I SG:EX; XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; 'Jan Vrem, Mark'; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: RE: draft Cab sub insert - s.12

Thanks Toby and Lindsay.

Cheers,
 Brad.

From: Louie, Toby I SG:EX
Sent: Friday, November 12, 2010 8:37 AM
To: XT:Matthews, Lindsay ICBC:IN; Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX
Cc: XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; 'Jan Vrem, Mark'; Ayers, Karen J HSD:EX; Lowther, Brett PAB:EX
Subject: Re: draft Cab sub insert - s.12
Importance: High

Thanks Lindsay

I'm forwarding to others involved with the submission through my reply.

From: Matthews, Lindsay [<mailto:Lindsay.Matthews@icbc.com>]
Sent: Friday, November 12, 2010 8:28 AM
To: Louie, Toby I SG:EX
Cc: Lowther, Brett PAB:EX; XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CAsE:IN; Jan Vrem, Mark
Subject: draft Cab sub insert - s.12
Importance: High

Hi Toby

Here is a piece on s.12 to add to the Cab Sub.

If someone else should be getting this piece directly either please pass it on for us or let me know who that is.

If there are any concerns people have with the content please circle back to us.

Let me or Nicolas know if you have questions.

Lindsay

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:43 AM
To: Voht, Angela E SG:EX
Subject: FW: Upcoming Week and Cabinet Submission

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Sunday, November 14, 2010 8:08 PM
To: Louie, Toby I SG:EX
Cc: Preyde, Anne M SG:EX
Subject: Re: Upcoming Week and Cabinet Submission

Confirmed - no sub to Cabinet this week

From: Louie, Toby I SG:EX
Sent: Sunday, November 14, 2010 04:55 PM
To: Martin, Stephen C SG:EX
Cc: Preyde, Anne M SG:EX
Subject: Re: Upcoming Week and Cabinet Submission

Thanks Steve

I want to confirm that we are not taking a CS forward for this week. I'll need to let Cab Ops know on Monday as they are expecting something on Monday.

Toby

From: Martin, Stephen C SG:EX
Sent: Sunday, November 14, 2010 03:51 PM
To: Brazier, Heather M SG:EX; Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX; Tadla, Dana SG:EX; Blewett, Tyann M SG:EX
Cc: Martin, Stephen C SG:EX; Faganello, Tara AG:EX; Louie, Toby I SG:EX; Bell, Ronald AG:EX; Murray, Melanie AG:EX
Subject: Upcoming Week and Cabinet Submission

Here is my best guess of what we need to prepare for this coming week. There are a number of issues we are currently chasing down, and if last week is any example there may be more elements that we may need to consider as this coming week unfolds.

Cabinet Submission

Pages 92 through 93 redacted for the following reasons:

S. 12

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:44 AM
To: Voht, Angela E SG:EX
Subject: FW: Impaired Driving Cab Sub

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Martin, Stephen C SG:EX
Sent: Friday, November 12, 2010 8:48 AM
To: Gerhart, Bradley SG:EX
Subject: RE: Impaired Driving Cab Sub

Yup when will next draft be ready

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 11, 2010 4:35 PM
To: Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Subject: RE: Impaired Driving Cab Sub

Thanks Steve. I am going to have the staff reorganize in the morning into a more traditional request for decision Cab sub. At the moment I am thinking that there are

s.12

Cheers,
Brad.

From: Martin, Stephen C SG:EX
Sent: Thursday, November 11, 2010 1:18 PM
To: Gerhart, Bradley SG:EX; Melvin, Stephanie SG:EX
Cc: Martin, Stephen C SG:EX
Subject: FW: Impaired Driving Cab Sub
Importance: High

Brad/Stephanie – I haven't reviewed in detail but have made some initial observations – not flowing or organized like a cab sub

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 11, 2010 11:37 AM
To: Murray, Melanie AG:EX; Melvin, Stephanie SG:EX; Martin, Stephen C SG:EX
Subject: Fw: Impaired Driving Cab Sub
Importance: High

Here you go Melanie. Please note that this is the version as of last night and is likely to continue to evolve over the day.

Cheers,
Brad.

From: Gerhart, Bradley SG:EX
Sent: Wednesday, November 10, 2010 05:08 PM
To: Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Subject: Impaired Driving Cab Sub

Hi Steve & Stephanie,

Please find attached the latest and greatest version of the Cab Sub. Steve, I wanted to get a general sense of whether we were going in the right direction and whether there were any obvious gaps. S, there are a few areas that would benefit from your knowledge and expertise of what is going on in the police world. I will be working on this tonight, so would appreciate any comments or feedback that you can provide.

Cheers,

Brad.

<<452419 - Cab Sub -

s.12

>>

Bradley R. Gerhart
A/Assistant Director, Policy and Research Branch
Office of the Superintendent of Motor Vehicles
Ministry of Public Safety and Solicitor General
T: (250) 387-1752 F: (250) 356-5568
Bradley.Gerhart@gov.bc.ca

Voht, Angela E SG:EX

From: Martin, Stephen C SG:EX
Sent: Friday, December 24, 2010 10:48 AM
To: Voht, Angela E SG:EX
Subject: FW: "Even Cops say new 0.05 law is overkill"

Steve
S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

-----Original Message-----

From: Martin, Stephen C SG:EX
Sent: Friday, October 22, 2010 7:13 AM
To: Morhart, David A SG:EX
Subject: RE: "Even Cops say new 0.05 law is overkill"

impressive

Steve
S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

-----Original Message-----

From: Morhart, David A SG:EX
Sent: Friday, October 22, 2010 6:54 AM
To: Martin, Stephen C SG:EX
Subject: Re: "Even Cops say new 0.05 law is overkill"

Tom actually called me directly yesterday to apologize.

----- Original Message -----

From: Martin, Stephen C SG:EX
Sent: Friday, October 22, 2010 06:51 AM
To: Morhart, David A SG:EX
Subject: Re: "Even Cops say new 0.05 law is overkill"

Thanks! I spoke with Clayton at a function last night and I know he was trying to contact Stamatakis.

----- Original Message -----

From: Morhart, David A SG:EX
Sent: Friday, October 22, 2010 06:45 AM
To: Sproule, Spencer SG:EX; Johnston, Karen PAB:EX; Martin, Stephen C SG:EX
Subject: Fw: "Even Cops say new 0.05 law is overkill"

----- Original Message -----

From: Begg, Kevin L SG:EX

Sent: Friday, October 22, 2010 06:39 AM
To: Morhart, David A SG:EX
Subject: Fw: "Even Cops say new 0.05 law is overkill"

FYI

----- Original Message -----

From: Clayton Pecknold [mailto:clayton.
Sent: Thursday, October 21, 2010 11:34 PM
To: Begg, Kevin L SG:EX;
s.16
s.16

Subject: Fw: "Even Cops say new 0.05 law is overkill"

Info.

Sent from my Blackberry

----- Original Message -----

From: Tom Stamatakis [mailto:tstamatakis@vpu.ca]
Sent: Thursday, October 21, 2010 11:03 PM
To: Clayton Pecknold
Subject: Fw: "Even Cops say new 0.05 law is overkill"

Clayton, I didn't actually realize until tonight that the opinion piece was in the paper as well (shows you how much attention I pay to the Province). After I saw that I felt compelled to send something in; we'll see if they print it.

Here it is, feel free to use as you see fit. I could have said more but want to keep it succinct so it would have a better chance of being published.

I am hoping this thing dies and I don't intend to do anymore media on it.

Tom Stamatakis
604 685 6441(w)
s.22 (c)

----- Original Message -----

From: Tom Stamatakis
To: provinceletters@theprovince.com <provinceletters@theprovince.com>
Cc: dinwood@theprovince.com <dinwood@theprovince.com>
Sent: Thu Oct 21 23:53:00 2010
Subject: "Even Cops say new 0.05 law is overkill"

After reading the article titled "Drunk-driving law hits roadblock" and the opinion piece that I've already referred to, I feel compelled to clarify a couple of things.

On October 25th I had a wide ranging discussion with Mr. Inwood regarding the new drinking driving and excessive speeding regulations that were recently enacted in British Columbia.

Mr. Inwood's article leaves the impression that the new regulations have already had an impact on workload and have actually resulted in an increased number of conflicts between our members and citizens. While I have received some anecdotal reports from members that this is the case, there is no data available to confirm that this has been our actual experience.

Second, the .05 threshold is the same threshold that has always existed and triggered enforcement action by the police whenever there was evidence that a driver could be impaired by alcohol. Your opinion piece leaves the impression that this is "a new lower limit" and is simply not correct.

Finally, you set out the different positions I occupy at the local, provincial, and national level. I can tell you unequivocally that every officer that I represent at every level is supportive of any initiative where the objective is to achieve a reduction in the number of incidences of drinking and driving or excessive speeding that occur in our communities locally or across the country. Such initiatives can be in the form of regulatory and legislative change, education, and prevention among other things.

However it is also important to ensure that any changes that do occur are both effective and efficient; that was my main message when I had the conversation with Mr. Inwood and will remain my focus going forward on behalf of all the members I represent and on behalf of the citizens we serve and whose safety is paramount.

Tom Stamatakis
604 685 6441(w)
s.22 (c)

Office of the Superintendent of Motor Vehicles

Impaired Driving Initiative

Trevor Barry, Communications Officer

Role Description

Overall Objective:

Coordinate development of information to be disseminated to the public and within OSMV regarding the new impaired driving administrative penalties being implemented in September 2010.

Key Accountabilities:

1. Development of public education material for impaired driving
 - Working with other OSMV staff as appropriate, develop material to be disseminated to the public to enhance understanding of the new administrative penalties
 - Examples include fact sheets and FAQs
 - Primary tool will be OSMV internet
 - Requires close consultation with PAB
2. Provide information on impaired initiative to OSMV staff
 - Identify opportunities to share information with OSMV staff to keep them informed on progress of the initiative
 - As required, develop material for OSMV staff
 - Primary tool will be OSMV intranet
3. First point of contact for public inquiries on impaired initiative
 - Act as initial referral point for public inquiries
 - As appropriate, deal directly with public inquiries
 - When required, refer inquiries to appropriate OSMV staff
 - Maintain log of inquiries, and use to identify public education opportunities and FAQs
4. OSMV Intranet Administration
 - As authorized administrator for OSMV intranet, post material as directed
 - Includes material related to impaired initiative and other OSMV work
5. OSMV Internet Redesign
 - Rethink OSMV website – identify gaps, redundancies, requirements for external links
 - Working with OSMV subject matter experts, update content as appropriate
 - Requires close consultation with PAB

6. OSMV Internal Information Sheets (aka "cheat sheets")

- Develop/update internal information sheets of key facts and/or standard messaging for various OSMV programs

Reporting Relationship:

For items 1-3, Heather Brazier, Project Lead, Impaired Driving Initiative

For item 6, Tyann Blewett, A/Director, Policy and Research

For item 4, Heather Brazier for material related to impaired initiative, Tyann Blewett for all other material

For item 5, Heather Brazier at inception. To be revisited as project progresses.

DRAFT

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Monday, November 22, 2010 4:29 PM
To: Brazier, Heather M SG:EX
Subject: RE: CounterAttack TV ad-final

Edw. 02154

Thanks Heather.

From: Brazier, Heather M SG:EX
Sent: Monday, November 22, 2010 4:08 PM
To: Melvin, Stephanie SG:EX
Subject: FW: CounterAttack TV ad-final

Thought you would want to see this too.

From: Martin, Stephen C SG:EX
Sent: Monday, November 22, 2010 3:32 PM
To: Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadia, Dana SG:EX
Subject: FW: CounterAttack TV ad-final

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Woolley, Paul PAB:EX
Sent: Monday, November 22, 2010 2:04 PM
To: Wanamaker, Lori SG:EX; Martin, Stephen C SG:EX
Subject: FW: CounterAttack TV ad-final

Just got this. Thought you'd like to see a copy. ICBC was very helpful in getting this adjusted in short order, despite formidable time pressures.

From: Jan Vrem, Mark [<mailto:Mark.JanVrem@icbc.com>]
Sent: Monday, November 22, 2010 11:28 AM
To: Woolley, Paul PAB:EX
Cc: Adair, Marisa PAB:EX; XT:Brown, Cindy FIN:IN; XT:Jimenez, Nicolas CASE:IN
Subject: FW: CounterAttack TV ad-final

Hi Paul – here's the restriped Counter Attack TV commercial – the "don't drink and drive" line has been deleted....

Cheers...

Mark

.....
Mark Jan Vrem
Manager - Media Relations
Strategic Communications
ICBC building trust. driving confidence.
.....

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 8:33 PM
To: s.16
Subject: Re: ASD programming - Alcohol Test Committee (ATC) approval

Thanks very much for keeping us looped in Mike.

Regards

Stephanie

----- Original Message -----

From: Mike DIACK [[mailto:](#)] s.16
Sent: Thursday, November 18, 2010 08:18 PM
To: Martin, Stephen C SG:EX
Cc: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX
Subject: Fwd: Re: ASD programming - Alcohol Test Committee (ATC) approval

Davtech will immediately contact the chair of the ATC to obtain Committee and Dep't of Justice approval to adjust our ASD'S which will ensure they remain approved devices pursuant to the Criminal Code. Davtech and Benny Wong do not feel it will be an issue for the Committee.

Mike

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 7:01 PM
To: Murray, Melanie AG:EX
Subject: brad needs a review
Attachments: OSMV - ASD Recalibration - QA 12 Nov 10 (3).docx

From: Gerhart, Bradley SG:EX
Sent: Thursday, November 18, 2010 5:51 PM
To: Martin, Stephen C SG:EX
Cc: Melvin, Stephanie SG:EX; Brazier, Heather M SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX
Subject: FW: OSMV - ASD Recalibration - QA 12 Nov 10 (3)

Steve, PAB provided us with a more robust version of the Q&A then what we sent them around 5 pm tonight. Some of this may be useful if you are working with them tonight on a final version that makes it clear that it is police that are taking action to recalibrate the devices and, not the Province, and that the readjustment is to .06.

From: McCaffrey, Julianne PAB:EX
Sent: Thursday, November 18, 2010 4:16 PM
To: Gerhart, Bradley SG:EX
Subject: OSMV - ASD Recalibration - QA 12 Nov 10 (3)

When will the recalibration be complete?

Recalibration of ASDs to 0.06 BAC

Questions and Answers

What was the level of accuracy for the approved screening devices (ASDs)?

ASDs are highly accurate devices that have been in use in British Columbia since 1977. According to the manufacturer, the device is accurate within a 5% margin of error which is plus or minus 0.0025 at 0.005 BAC. This level is generally accepted across the country, but with the recent changes to legislation that toughens the penalties, we have subsequently revisited the margin of error to ensure even greater fairness to drivers.

Why are the ASDs being adjusted?

This is a minor adjustment to slightly increase the margin of error allowance for drivers close to 0.05 blood alcohol content which triggers a 'warn'. The adjustment increases the trigger for a 'warn' from 0.05 blood alcohol level to 0.06. The levels for the 'fail' range will not be altered.

Why is the 0.08 'fail' trigger not being adjusted?

ASD's currently register a fail at 0.10 blood alcohol content, well above the 0.08 level, and already providing a more than adequate margin of error. This is in part because Criminal Code sanctions apply at the 'fail' range, rather than administrative penalties at the 'warn' range. Also, at the 'fail' range on a roadside test, drivers are taken to a police precinct for another breathalyser and it ensures that the levels are still above the legal limit by the time the test is re-administered.

Did the government know of this discrepancy at the 'warn' level when they introduced the new legislation back on Sept 20?

The 5% margin of error is generally accepted across the country and been accepted by courts since the devices were introduced in BC back in 1977. However, with the recent changes to legislation that toughens the penalties at roadside checks, we have subsequently revisited the margins of error out of an abundance of caution to ensure even greater fairness to drivers.

When did this issue become known and how?

ASDs are highly accurate devices and the 5% margin of error is generally accepted across Canada, but when we strengthened the penalties through legislative changes, we also began re-examining the margins of error to ensure more stringent calculations that ensure British Columbians could feel absolutely confident in the fairness employed at roadside tests.

Will police continue use of roadside devices while the ASD's are being recalibrated?

Yes. There is a sufficient number of devices in the province to ensure that police will still have continued access to ASDs during the adjustment period, but to ensure fairness, police will now go back to the 24 hour road-side suspensions for drivers that blow in the warn range that preceded the legislative changes introduced Sept. 20 .

In terms of the new IRP prohibitions introduced Sept 20, what is changing as a result?

Roadside testing will continue, however, effective immediately police are not issuing 3, 7, and 30 day IRP prohibitions and vehicle impounds for those that blow 'warn' unless the ASD has been recalibrated. Those drivers that blow 'warn' with a device not yet recalibrated for the new margin of error will receive a 24 hour road-side suspensions like before the new legislative changes made Sept. 20. The new legislative changes affecting 'fails' that came into effect Sept 20 will remain.

How long will it take to adjust all ASD in the province?

Police departments across the province are sending half their ASDs for recalibration. They will be adjusted, tested, certified, relabelled and returned. Upon receipt of the first batch of readjusted devices, the remainder will be sent for adjustment. It is expected this process will be completed by __

Is this a lightening up on the rules to pacify concerns by the restaurant and pub industry?

This is not about a softening of the law. Out of an abundance of caution, government has decided to provide drivers who are close to 0.05 BAC with an

allowance for a small margin of error, and to address the risk that a driver could potentially be sanctioned between 0.045 and 0.049 BAC.

How many drivers who blew in the in the range of 0.05 to 0.08 since Sept. 20 actually blew under 0.05 and yet were fined and their cars towed anyway?

ASDs do not provide a digital read out of BACs over 0.05. These devices simply indicate whether a driver's BAC is in either in the range of 0.05 to 0.08 or over 0.08. It is not possible to determine the exact number of people, nor is it possible to identify specific individuals, who may have been issued a "warn" level prohibition when their BAC was below .05. However, stringent statistical analysis of the 1,235 offences suggests that only about two people may have been sanctioned in the "warn" range when their BAC was below .05.

How does the margin of error on BC machines compare to the ASDs employed by police agencies in other provinces?

ASDs used in all provinces in Canada, except Saskatchewan¹, are calibrated to register a "warn" when the BAC is between .05 and .99 and a "fail" when the BAC is .10 and higher.

Given that adjustments are now being made to ASDs, two months into the new law, does government plan to reimburse drivers sanctioned in the warn range since September 20th ?

s.13

¹ Saskatchewan devices are calibrated to register a "warn" at .04 BAC.

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 12:18 PM
To: Lowther, Brett PAB:EX
Cc: Woolley, Paul PAB:EX; Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX; Sitter, Donna PAB:EX
Subject: RE: BCACP Resolution

The resolution was passed late this morning, and they're working on the communication strategy which should include a date that they want to start doing this and when and how they'd let officers know. As soon as we know any plans, we will most definitely share them.

Steve will be trying to speak with them this afternoon as well.

From: Lowther, Brett PAB:EX
Sent: Thursday, November 18, 2010 12:08 PM
To: Melvin, Stephanie SG:EX
Cc: Woolley, Paul PAB:EX; Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX; Sitter, Donna PAB:EX
Subject: FW: BCACP Resolution
Importance: High

Thanks – But there are not dates on this material. Have police already passed the motion? When is the directive going out to police to tell them that the ASD's need to be recalibrated – or has it already gone out?

brett

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 11:29 AM
To: Woolley, Paul PAB:EX; Lowther, Brett PAB:EX
Cc: Blewett, Tyann M SG:EX; Brazier, Heather M SG:EX
Subject: BCACP Resolution
Importance: High

Here's what we have so far through channels for BCACP.

Stephanie

From: Melvin, Stephanie SG:EX
Sent: Thursday, November 18, 2010 12:08 PM
To: Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX; Tadla, Dana SG:EX; Brazier, Heather M SG:EX
Subject: Please read
Attachments: 101119.ASD Motion.doc; 101119.TSC Plan.doc
Importance: High

From: Jamie Graham [mailto:^{s.22}]
Sent: Thursday, November 18, 2010 11:38 AM
To: Begg, Kevin L SG:EX; Melvin, Stephanie SG:EX
Subject: FW:
Importance: High

this is the motion that was passed by the Chiefs this morning. The attached documents contain the motion and a supporting document regarding the ASD adjustment strategy. Please note that based on information from the RCMP, it is our recommendation that the adjustment be made to .060 as a low threshold for the WARN category. I am sorry to embargo this but it is not a public document but it only makes sense that the Minister knows what our position is. We are going to think hard about how to comment on this and first and foremost is to support the IRP legislation and continue to condemn impaired driving offences.

From: Jamie Graham [mailto:^{s.22}]
Sent: November-18-10 11:03 AM
To: 'paul.patterson@vpd.ca'; 'Hamilton, Grant'
Cc: 'Jamie.graham@vicpd.ca'
Subject:
Importance: High

highly confidential

sorry, this is from my home computer which I have at the BCACP conference. Don't reply to this, use my work address and/or cell phone if you need it.

Here is what passed by the BCACP 1/2hr ago. The second piece to this is to develop a media strategy. So ... over to you guys.

Our thoughts were to present this first to all officers in the province (immediately) so they know not to use the ASDs (tonight) and as you can see and imagine, urgency is paramount. Once this goes out, the media will be called for more info. The issues are complicated and added to the mix is that gov't or OSMV through their legal people feel (legally) they will stay with the current system until or unless challenged. Our movement on this is based on doing the right thing. Our thoughts also were to hold a media thing tomorrow (this afternoon if you want) as a bunch of us are over in the LMD for the grad ceremony. VPD media room would be a good backdrop (Paul – if it is available). I'd like you guys to chat, maybe work out some media lines and speaking points as the rest of the Chiefs are going to get calls and we all want to be on the same page.

Chief Jamie Graham
Victoria Police Department
850 Calendonia st.
Victoria, B.C.
V8T 5J8
p. (250) 995 7217
private p. ^{s.22}
c. ^{s.22}

Motion:

WHEREAS:

Offences relating to the consumption of alcohol and the operation of motor vehicles continue to cause great harm to the people of British Columbia. The British Columbia Association of Chiefs of Police (BCACP) fully support the current provincial legislation dealing with the Immediate Roadside Prohibition (IRP) and feels that it is having a substantial impact on the prevention and public education relating to the problem,

WHEREAS:

The use of the current Approved Screening Device (ASD) is crucial to the enforcement of the current administrative sanctions outlined in the IRP legislation,

WHEREAS: The use of the ASD indicates either a PASS, WARN or FAIL reading on the instrument. It has been determined that the WARN reading on an ASD may not sufficiently reflect the minimum threshold of 50mg of alcohol in 100 mls of blood.

WHEREAS: The ASDs currently in use in British Columbia require adjustment for the purposes of ensuring fairness in the enforcement of the IRP provisions,

THEREFORE: for the purposes of reasonableness and objectivity, current ASDs should not be used for the purposes of enforcing IRP provisions for "WARN" readings until they can be adjusted,

THEREFORE: It is recommended that a communication strategy be implemented for the purpose of educating and informing the public that these ASD adjustments will take place immediately in a manner that will not compromise public safety and in a manner outlined in the BCACP Traffic Safety Committee Plan (attached Appendix A),

THEREFORE: the BCACP recommends to its members that they immediately adjust any and all ASDs currently in use.

ATTACHMENT 1 – CONFIDENTIAL MEMO FROM RCMP

A decision has been made to adjust the warn level of all Approved Screening Devices (ASD) in BC from .050 mg% to .055 mg%. Effective immediately all members shall cease issuing 3, 7, and 30 day IRP prohibitions and vehicle impounds for an ASD Warn.

In lieu of the IRP Warn process the 24-hour driving prohibition as per Section 215 of the Motor Vehicle Act should be used. The IRP Fail process is not affected by the adjustment to the ASD's and remains unchanged and enforceable.

Once you receive the adjusted ASD's you may resume issuing 3, 7, and 30-day IRP Warn prohibitions. Only an adjusted ASD will be used to issue a 3, 7, and 30 day IRP prohibition and discretionary vehicle impounds for an ASD Warn.

All enforcement units in BC, including independent police departments, RCMP, CBSA, military police, SCBCTAPS, etc, are to immediately deliver one half (1/2) of their ASD'S to:

"E" Division Traffic Services HQ
RCMP
306C – 20338 65th Avenue
Langley, BC V2Y 2X3

All ASD's received will be adjusted, tested, certified, relabeled and returned to the originating agencies. Upon receiving the first ½ of your ASD's back you must immediately forward the second ½ of your ASD's to "E" Division Traffic Services in Langley following the same instruction as the 1st shipment.

Delivery: ASD's units can be delivered in person Monday to Friday between 0700-1600 or via Purolator using account number 8504126.

Costs: All costs for Purolator and changing and retesting the ASD'S will be paid for by E Division Traffic Services until December 15, 2010. After December 15 units must send their ADS'S directly to Davtech in Ottawa where they will be changed at your unit/department cost.

Prior to delivering your ASD's to E Division Traffic Services please keep the following in mind:

- ASD cases should be clearly marked with your agency's name and corresponding ASD serial number
- All mouth pieces are to be removed prior to delivery.
- Write your address clearly and legibly on the shipping slip
- If delivering in person, please ensure your agency's name and address are clearly and legibly printed on the delivery box.
- Deliveries only between 0700-1600 Monday to Friday

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Monday, November 1, 2010 6:35 PM
To: Bell, Ronald AG:EX; Murray, Melanie AG:EX
Cc: Martin, Stephen C SG:EX; Gerhart, Bradley SG:EX; Blewett, Tyann M SG:EX
Subject: FW: For OSMV approval: Province column IN

Importance: High

Hi Ron and Melanie

The last two questions in yellow are my additions. Please have a look at this package and let us know what you think. Steve will be interested in whatever additions or suggestions you can make on our legal position on this for his meeting on Tuesday morning with the SG at 11.

Many thanks

Stephanie

From: Gerhart, Bradley SG:EX
Sent: Monday, November 1, 2010 5:55 PM
To: Martin, Stephen C SG:EX; Melvin, Stephanie SG:EX
Cc: Blewett, Tyann M SG:EX
Subject: RE: For OSMV approval: Province column IN
Importance: High

s. 14

Q&A, so that you can add in those few questions that we talked about.

I am also sending the

please cc Tyann and

I so that we can circle back with

Melanie in the morning. Thanks so much for your help with this.

Cheers,
Brad.



OSMV - Accuracy
of Roadside Sc...



ASD QAs for
PAB.docx

From: Martin, Stephen C SG:EX
Sent: Friday, October 29, 2010 7:24 PM
To: Melvin, Stephanie SG:EX; Gerhart, Bradley SG:EX
Cc: Martin, Stephen C SG:EX
Subject: FW: For OSMV approval: Province column IN
Importance: High

Very important to get this particular I/N right given new SG, new PAB, and key issue

Stephanie please see my comments bottom p1

Brad pls see comments on first section

<< File: OSMV - Accuracy of Roadside Screening Devices - IN 29Oct10.doc >>

Steve

S.C. (Steve) MARTIN
Superintendent of Motor Vehicles
Ministry of Public Safety & Solicitor General
Bus: (250) 387-5692
Fax: (250) 356-5577
Stephen.Martin@gov.bc.ca

From: Gerhart, Bradley SG:EX
Sent: Friday, October 29, 2010 5:44 PM
To: Martin, Stephen C SG:EX
Cc: Brazier, Heather M SG:EX; Melvin, Stephanie SG:EX; Blewett, Tyann M SG:EX
Subject: FW: For OSMV approval: Province column IN
Importance: High

Hi Steve,

Please find attached a soft copy, as requested, of PAB's Issue Notes in response Ethan Baron's article in the Province about ASDs and error rates. It has been reviewed and approved by Heather, Stephanie, and I. Ian will want any requested changes first thing Monday morning. Thanks.

Cheers,
Brad.

From: Indridson, Ian PAB:EX
Sent: Friday, October 29, 2010 10:41 AM
To: Gerhart, Bradley SG:EX
Subject: For OSMV approval: Province column IN
Importance: High

Brad, as discussed, here is the note – with Baron's column attached for reference below. If we could have signoff ASAP, that would be great – thanks again for your help.

Ian

Loads of error for drinking-driving penalties
The Province
Friday, October 29, 2010
Page A04
By Ethan Baron

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry Public Safety and Solicitor General

Date: Oct. 29, 2010

Minister Responsible: Rich Coleman

Accuracy of Roadside Screening Devices

Suggested Response:

s.13

ADVICE TO MINISTER

s.13

Background:

On Oct. 29, Province columnist Ethan Baron called into question the accuracy of both the roadside screening devices police use to impose immediate roadside penalties for drinking and driving, and the police station breathalysers used to support criminal charge recommendations. The reporter also summarized a recent case of an administrative driving prohibition that went to court for judicial review, stating the judge “overturned” the licence suspension because OSMV “improperly interpreted breathalyzer-related evidence.”

-30-

Accuracy of Roadside Screening Device Q&A

Q. How accurate are approved screening devices (ASD)?

A. ASDs are sophisticated and highly accurate devices. According to the manufacturer of the device used in BC, the device is accurate to +/- 0.005 at 0.100 blood alcohol concentration (BAC).

s.13, s.14

Q. Why are the ASDs calibrated at 0.10 when the criminal driving limit is 0.08?

A. The ASDs have long been calibrated at 0.10 to ensure that police resources are efficiently utilized. Because alcohol is eliminated from the body at an average rate of 0.015 per hour, this helps prevent a scenario where driver blows 'fail' at the roadside, yet is under 0.08 back at the station.

s.13, s.14

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From: Craig CALLENS s.16
Sent: Monday, November 1, 2010 2:11 PM
To: Mike DIACK
Cc: Douglas FERGUSON
Subject: IRP and enforcement action since new legislation

Mike,

1. In our meeting with the SG this morning, he asked for some statistics with respect to 3 day prohibits (with and without vehicle impound) and excessive speed/race/stunt rickets (with and without vehicle impound) along with any measurable statistical impact to collisions and impaired related collisions since inception.

I appreciate that our ability to quickly gather this statistical information may not be easy, however, we committed to providing it asap. Could you liaise with OSMV and others as required to obtain at earliest opportunity.

2. Can you prepare a message suitable for CrOps Sec to send out as a Division broadcast that speaks to the ability to apply discretion in relation to the impound of vehicles on warns and excessive speed, that common sense should be applied along with some of the other considerations you raised on the phone with me this morning (legally parked, sober driver, commercial vehicle used for business purposes, etc)

Call to discuss if need be.

Craig

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Monday, November 1, 2010 5:13 PM
To: 'Mike DIACK'
Cc: Martin, Stephen C SG:EX; 'Dave HOLLINS'; 'Marc Alexander'
Subject: RE: Urgent request from Sol Gen - IRP

Will do Mike. I agree that it would be impossible to provide any data on impacts on collisions this early in the game. Will get the other data.

S

-----Original Message-----

From: Mike DIACK [\[mailto:\]](mailto:) s.16
Sent: Monday, November 1, 2010 3:04 PM
To: Melvin, Stephanie SG:EX
Cc: Martin, Stephen C SG:EX; Dave HOLLINS; Marc Alexander
Subject: Fwd: Urgent request from Sol Gen - IRP

Stephanie, can you please provide a response to #1. Unusual for the Sol Gen to ask the RCMP for OSMV stats.

I suspect it will be difficult for Dave Hollins to provide us with any measurable statistical impact to collisions and impaired related collisions since the inception of the IRP because of the short period of time to evaluate the impact. In addition, we will not receive ICBC collision and injury data for this period until next year.

thx
Mike

Voht, Angela E SG:EX

From: Melvin, Stephanie SG:EX
Sent: Monday, November 1, 2010 5:14 PM
To: Blewett, Tyann M SG:EX; Arason, Neil SG:EX; Siemens, Joelle SG:EX; Gerhart, Bradley SG:EX
Cc: Martin, Stephen C SG:EX
Subject: FW: Urgent request from Sol Gen - IRP
Attachments: IRP and enforcement action since new legislation

Importance: High

Just the IRP enforcement data and impounds would be great. Steve will likely need for his briefing with the SG tomorrow morning at 11.

Many thanks

Stephanie

-----Original Message-----

From: Mike DIACK [mailto:[s.16](#)]
Sent: Monday, November 1, 2010 3:04 PM
To: Melvin, Stephanie SG:EX
Cc: Martin, Stephen C SG:EX; Dave HOLLINS; Marc Alexander
Subject: Fwd: Urgent request from Sol Gen - IRP

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thx
Mike