

Vehicle Impoundment Program

Fact Sheet

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;
- Improperly seated motorcyclists;
- Drivers affected by alcohol.

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 sanction, there may be other consequences imposed.

Impoundment Period

The duration of the impoundment period depends on the sanction.

- Drivers served with an Immediate Roadside Prohibition may see the vehicle they were driving impounded for three, seven or 30 days, depending on the prohibition length.
- Others 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 of the registered owner's vehicle (s) within the prior two years.

Retrieving the Impounded Vehicle

After the period of impoundment ends, and after paying towing and storage fees, the registered owner may retrieve the vehicle. If the impoundment was 30 days or more, the registered owner of the vehicle must

complete a Vehicle Release form, available from any driver licensing office, to submit to the impound lot operator.

If the registered 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 retrieve 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.

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 of seven days or less.) Owners may apply for a review of the vehicle impoundment on grounds of **absence of consent** to allow the driver to use the vehicle.

Review of the Vehicle Impoundment

To request the review, visit any driver licensing office to apply and pay the review fee. Please bring with you:

- 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

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.

A written review - \$50

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

An oral hearing - \$100

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

The Review Decision

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.

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 (or authorized representative) may also request early release of a vehicle if the owner (or authorized representative) can demonstrate that the impoundment would create economic hardship.

Applying for an Early Release

You may request an early release of a vehicle

impoundment from the Superintendent of Motor Vehicles within 15 days of the date of the impoundment. There are two ways you may present your case, either in writing, or orally over the phone. The cost for applying for early release is \$100 regardless of whether it is written or oral.

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 police can then terminate the impoundment so the registered 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).

Refuse to Issue for Impound Lot Operator Debt

Please note that failure to pick up your vehicle and pay for the towing and storage related to its impoundment may result in the Superintendent directing ICBC to refuse to issue you a driver's licence until your debt with the impound operator is settled.

For more information:

Visit the RoadSafetyBC website at:

www.gov.bc.ca/roadsafetybc