



April 2014

Message to Medical Practitioners

RE: Urgent driver licence cancellation process

I am writing to provide an update on a number of changes we are making to how we review unsolicited driver medical fitness reports from medical practitioners, police and the public and how we make subsequent driver medical fitness decisions, including urgent licence cancellations. As you may be aware, the BC Supreme Court made a judicial review decision in November 2013, which has highlighted some areas for improvement when we urgently cancel a person's driver's licence for medical reasons.

The decision is available at www.courts.gov.bc.ca/jdb-txt/SC/13/20/2013BCSC2091.htm

The changes we are implementing to our urgent licence cancellation process include strengthening evidentiary requirements under which we make an urgent licence cancellation decision. This means that OSMV needs clear evidence of the medical issue(s) affecting driving and compelling evidence of the need for urgent intervention, prior to making a driver medical fitness urgent licence cancellation decision.

In cases where this threshold is not met, OSMV will use a "Notice to Cancel" approach, which notifies the driver that OSMV is considering a licence cancellation and provides the driver with a time sensitive opportunity to respond to the concerns raised. In cases where the OSMV adjudicator does not feel that a licence cancellation is warranted, they can request an urgent assessment, or further information from the driver as is currently the case.

Our driver medical fitness team are starting to apply these changes to cases being received and are actively working on formalising the approach. OSMV will work with the Driver Medical Fitness Advisory Group (DFAG) and Doctors of BC as this process evolves and official guidelines and policies around this change are developed. To accompany the changes we will be looking at amending the report forms and guidelines to ensure we are capturing the best information to help us make decisions in a timely manner and continue to address urgent cases.

We thank you for your continued support, if you have further questions about these changes to our Driver Fitness Program, please contact our driver medical fitness staff via the dedicated phone line for medical professionals: 250-953-8612.

Yours faithfully

Kathryn Chapman
Deputy Superintendent of Motor Vehicles