

# Urgent Driver's Licence Review

## Fact Sheet

### Urgent Cancellation Decision

When RoadSafetyBC receives current, reliable information that shows that a driver's medical condition poses an urgent road safety risk, the driver's licence may be immediately cancelled. This is an "Urgent Cancellation" decision. Urgent Cancellation decisions are made on the basis of two criteria:

- a current and reliable report of a serious medical issue that may affect the driver's fitness to drive; and
- reasonably reliable evidence of an urgent road safety risk

When this type of evidence is received, RoadSafetyBC assesses the information and immediately cancels the driver's licence where these two criteria are met. RoadSafetyBC provides the driver with 21 days from the date of the Urgent Cancellation notification letter to request a reconsideration of that decision. These reconsideration requests are treated as a priority by RoadSafetyBC and are expedited accordingly. The driver's licence remains cancelled while the reconsideration process is underway. Once the reconsideration is complete, RoadSafetyBC provides the driver with a written decision.

There are no extensions granted for reconsideration requests, however, drivers making a request for reconsideration outside the 21 day time period who have a change in their medical condition may seek a review of their medical fitness to drive at anytime by

providing updated medical information to RoadSafetyBC.

To request reconsideration of an Urgent Cancellation decision, drivers should review the information provided in the decision letter and send in a written explanation of the reasons the driver thinks the decision should be reconsidered. The submission should be titled "Urgent Driver's Licence Cancellation Reconsideration Request – Driver Medical Fitness" so that it can be identified by RoadSafetyBC intake staff as a reconsideration request for an Urgent Cancellation that should be decided as a priority decision. The submission should contain all the information the driver wants RoadSafetyBC to consider, including copies of updated medical information. The submission should be sent by mail or fax to RoadSafetyBC at PO Box 9254, Stn Prov Gov, Victoria, B.C., V8W 9J2 Facsimile: (250) 952-6888.

### Notice to Cancel

When RoadSafetyBC receives a reasonably reliable report of a serious medical issue that may affect the driver's fitness to drive and that may pose a serious public safety risk, but the threshold for an Urgent Cancellation decision has not been met, RoadSafetyBC will investigate further in order to make a driver medical fitness decision. In these circumstances, RoadSafetyBC will send the driver a Notice to Cancel.

This means that the driver will have 30 days from the date of the Notice to provide

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additional information about their fitness to drive to RoadSafetyBC. RoadSafetyBC will consider the information provided and make a decision as to whether the driver is fit to drive or whether the licence should be cancelled. If no information is received within 30 days, the driver's licence will be cancelled and the driver will be advised of the cancellation decision in writing.

Drivers who provide their submissions outside the 30 days or drivers who have a change of medical condition may seek a review of their medical fitness to drive at anytime by providing updated medical information to RoadSafetyBC. Please note that submissions provided more than 30 days after the notice to cancel is issued may not be addressed on a priority basis.

To request a review, drivers must send in a written submission, including all the information the driver wants considered to RoadSafetyBC at PO Box 9254, Stn Prov Gov, Victoria, B.C., V8W 9J2 Facsimile: (250) 952-6888.

### Urgent Assessment and Request for Further Information

When RoadSafetyBC receives a report about a driver's medical condition that may affect the driver's fitness to drive, but the evidence does not meet the threshold for an Urgent Cancellation decision or Notice to Cancel, then RoadSafetyBC may require the driver to undergo assessment of their fitness to drive on an urgent basis, or require the driver to provide

further information respecting their fitness to drive.

In making an Urgent Assessment or Request for Further Information decision, RoadSafetyBC may require that the driver participate in a driving assessment or provide further information. This could include a driver being asked to complete any of the following: a Driver's Medical Examination Report (DMER), a medical assessment, or a functional driving assessment (e.g., Enhanced Road Assessment (ERA) or an ICBC road test re-examination).

The timeframes for complying with these requirements are determined on a case by case basis and are set out in Urgent Assessment or Further Information letters sent to drivers.

Under section 92 of the *Motor Vehicle Act*, the Superintendent may cancel a driver's licence if the driver has not complied with a requirement to complete an assessment or exam needed to make a driver fitness determination. The driver's licence remains cancelled until the driver complies with the requirement and a decision is made with respect to the person's fitness to drive.

Drivers receive a decision in writing from RoadSafetyBC for all decisions to cancel a driver's licence and will also receive notification of the cancellation from the driver licensing authority, ICBC.