



NOTICE OF APPEAL
Section 118.7 *Motor Vehicle Act*

Surname or Business Name: (please print clearly)		Given Names:	
Address:		Province:	Postal Code:
Phone (Home):		Phone (Alternate):	
Fax:			
Email (Optional):			
This Appeal relates to my	Driver's Licence # _____		Driver Training School Licence # _____
	Driver Training Instructor's Licence # _____		Other # _____
<p>Reasons for Appeal: (Please outline all of the reasons why you believe ICBC's decision should be rescinded or varied and include with this Notice any supporting documents and witness statements you want considered. You will also be given the opportunity to respond to ICBC's written submission in this matter. Attach additional pages if needed.) NOTE: The Superintendent of Motor Vehicles does not have the authority to remove or reduce the amount of any debt including interest.</p>			
Signature:		Date (YYYYMMDD): _____	
Attachments provided: _____ pages			

Appeals must be made within 30 business days starting the day after you were notified of ICBC's decision.

Appeal fee is \$50.00.

Make certified cheques and money orders payable to the **Minister of Finance**

Amount enclosed: \$ _____	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Money Order	<input type="checkbox"/> Application to Waive fee enclosed

Mail your Notice of Appeal, submissions and payment to:
ROADSAFETYBC
PO BOX 9254 STN PROV GOVT
VICTORIA BC V8W 9J2

The personal information is collected under section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the *Motor Vehicle Act*. If you have any questions about the collection, use and disclosure of the information collected, contact the Director, Remedial Programs at RoadSafetyBC at PO Box 9254 Stn Prov Govt, Victoria BC, V8W 9J2, phone 250-953-8681.

Guidelines for Appeals to the Superintendent of Motor Vehicles of Certain ICBC Decisions

Application

This document sets out the guidelines governing appeals to the Superintendent of Motor Vehicles (the "Superintendent") of certain decisions made by the Insurance Corporation of British Columbia (ICBC). The authority for this appeal process is in Part 2.1 of the *Motor Vehicle Act* (the "MVA").

These policies and procedures may be amended from time to time.

Decisions Which May be Appealed

The following ICBC decisions may be appealed to the Superintendent:

- imposing a restriction or condition on a person's driver's licence under section 25(14) of the MVA*
- refusing to issue a driver's licence under section 26(1) of the MVA
- cancelling a person's driver's licence under section 26.1 of the MVA
- issuing a short term driver's licence because of debt under section 27 of the MVA
- prohibiting a person from driving a motor vehicle due to an unsatisfied judgment under section 91 of the MVA
- refusing to issue a driving school licence or a driving training instructor's licence
- refusing to renew a driver training school licence or driver training instructor's licence
- suspending a person's driver training school licence or driver training instructor's licence
- refusing to accept proof of financial responsibility (insurance) in the form of a certificate referred to in s. 106(2)(b) because the insured party is not based out-of-province
- refusing to issue a financial responsibility card, decal or sticker referred to in section 111
- cancellation of someone's financial responsibility card

*Driver Medical Fitness restrictions (e.g. R25, R26, R28, R51) can be appealed directly to the RoadSafetyBC Driver medical fitness team. There is no fee for appealing a medical related restriction.

NOTE: The Superintendent does not have the authority to remove or reduce the amount of any debt, including interest.

How to Appeal

Someone affected by one of these ICBC decisions has the right to appeal that decision to the Superintendent of Motor Vehicles. The appeal must be made within 30 business days after the person is notified of the decision.

Once completed, the Notice of Appeal form on the reverse, payment and any attachments must be sent to RoadSafetyBC at the following address:

Appeals Registry
RoadSafetyBC
PO BOX 9254 Stn Prov Govt
Victoria BC V8W 9J2

Telephone: (250) 356-6573
Fax: (250) 356-6544

The fee for an appeal is \$50.00, which must accompany the Notice of Appeal, payable by certified cheque or money order to the Minister of Finance. The fee may be waived if the applicant files an Application to Waive the Appeal Fee form and provides documentation verifying either that the applicant is receiving Income Assistance or that their monthly income is equal to or less than that received on Income Assistance. The Application to Waive the Appeal Fee is available from ICBC Driver Licensing Offices or RoadSafetyBC. The \$50.00 fee will be refunded if the Superintendent finds in favour of the applicant.

Appeal Process

Appeals are made by way of written submissions received from the applicant and ICBC.

When RoadSafetyBC receives a Notice of Appeal, ICBC is notified and requested to send copies of their submission to the applicant and RoadSafetyBC within 10 business days.

RoadSafetyBC will then notify the applicant of the deadline to respond to ICBC's submission. **If the applicant does not respond to ICBC's submission, they may be deemed to have abandoned their appeal and the file may be closed.** The appeal fee will not be refunded in these circumstances.

If you would like to receive e-mail communications and documents, please provide your email address on the Notice of Appeal form on the reverse.

Either party may request an extension to submission deadlines in unusual circumstances. The entire appeal process will usually take 30 to 60 days for less complex matters and 60 to 90 days for more complex matters.

Applicant Responsibilities

Applicants are responsible for remaining an active participant in the appeal process. As noted above, if the applicant does not respond to ICBC's submission, they may be deemed to have abandoned their appeal. Applicants must also ensure that ICBC and RoadSafetyBC have their current address so they can be sent notices and documentation related to the appeal.

General

Each party is solely responsible for making its own case and the costs associated with making its case. If either party intends to use a translator they must give notice of this to the adjudicator and the other party as soon as possible and indicate who they propose will act as a translator. It is the responsibility of the party requiring a translator to arrange and pay for the translator.

Statement of Limitations

Information in this fact sheet is current as of February 16, 2018. The language is not the same as the legal and technical terminology within the applicable Acts and Regulations. Any contradiction, dispute or difference between the contents of this fact sheet and the legislation and regulations shall be resolved only by reference to the appropriate Acts or Regulations.