



Enhanced Road Assessment Policy

For Delegation 2/21 made by the
Superintendent of Motor Vehicles

12/15/2021

RoadSafetyBC

Ministry of Public Safety and Solicitor General

PO Box 9254 Stn Prov Govt
Victoria, BC, V8W 9J2

Contents

- 1.0 Overview 2
- 2.0 Authorities 2
- 3.0 Referrals 3
 - 3.1 Compliance Timeframes 3
 - 3.2. Cancellation of Driver’s Licence for Failure to Submit to ERA within Timeframe 4
 - 3.3 Extensions 4
- 4.0 The Enhanced Road Assessment 6
 - 4.1 Licence Held After the ERA 7
- 5.0 RoadSafetyBC Licensing Decision..... 10
 - 5.1 Full-Privilege Driver’s Licence 10
 - 5.2 Restricted Driver’s Licence 11
 - 5.3 Cancelled Driver’s Licence..... 11
- 6.0 Review of an ERA Licensing Decision 12

1.0 Overview

The Superintendent of Motor Vehicles (the “Superintendent”) is responsible for assessing the medical fitness of drivers and making driver fitness decisions. The RoadSafetyBC Driver Medical Fitness Program is a program area under the Superintendent that is responsible for determining driver medical fitness to ensure the safety of all road users. The goal of the Driver Medical Fitness Program is to ensure that drivers are provided the maximum licensing privileges possible, while taking into account the effects any medical conditions may have on the functions necessary for safe driving and the driver’s ability to compensate for the conditions.

The Enhanced Road Assessment (“ERA”) is a driving assessment used by the Superintendent to evaluate a driver’s functional ability to drive. It consists of tasks designed to assess driving skills and behaviours in situations of increasing complexity, yet within the abilities of a healthy, experienced driver. The ERA is used to assess drivers with cognitive, motor, and/or sensory impairments that may adversely affect their ability to drive.

The ERA is conducted by the Insurance Corporation of British Columbia (“ICBC”) under authority delegated by the Superintendent. ICBC only delivers the ERA to drivers who have been referred by the Superintendent.

2.0 Authorities

Section 29 of the *Motor Vehicle Act* (“MVA”) provides the Superintendent with authority to refer a driver to ICBC to complete a road test, or to be otherwise examined as to their fitness and ability to drive.

Under section 92 of the MVA, the Superintendent may direct ICBC to cancel a driver’s licence if the driver has not complied with a requirement to complete the ERA within the timeframe given in the referral letter, or if the Superintendent considers the driver to be unable or unfit to drive a motor vehicle. In both cases, the Superintendent may also direct ICBC to issue a different class of driver’s licence.

Under section 117 of the MVA, the Superintendent may delegate any or all of the powers, duties, and functions of the Superintendent to ICBC, subject to specific exceptions referenced in section 117, or to RoadSafetyBC staff.¹ When carrying out any delegated powers or responsibilities, section 117 requires that ICBC comply with any general or specific directives issued by the Superintendent.

Other sections of the MVA require or permit the Superintendent to provide instructions or directions to ICBC to take certain actions.

¹ Where this Policy refers to RoadSafetyBC that reference includes the Superintendent’s delegates, as applicable.

3.0 Referrals

Referrals to the ERA are made by RoadSafetyBC adjudicators and nurse case managers as part of the process of making a driver medical fitness determination. Class 5 and Class 7 drivers with a medical condition that may affect the motor, cognitive, or sensory functions required for driving may be referred to ICBC for the ERA.

The ERA is used for all ICBC-conducted Class 5 and Class 7 on-road assessments required by the Superintendent to assist in making a driver medical fitness decision, replacing previous assessment tools used by RoadSafetyBC.

In determining whether to refer a driver to the ERA, RoadSafetyBC applies the principles of administrative fairness and refers to the [Canadian Council of Motor Transport Administrators \(CCMTA\) Medical Standards for Drivers with BC Specific Guidelines](#). The decision is based on the entirety of the information on a driver's file, which may include the individual's driving record and information from medical professionals, police, ICBC employees or agents and/or concerned family members or citizens. RoadSafetyBC will not refer drivers to the ERA on the basis of the driver's age.

Some of the reasons RoadSafetyBC may refer a driver to the ERA include:

- A doctor or medical practitioner reports a medical condition that may affect a person's fitness or ability to drive safely;
- A collision report, police report or other report indicates a driver may be unsafe;
- Results of a previous on-road assessment suggest a follow-up is necessary.

When RoadSafetyBC determines that a driver is required to take an ERA, the driver will be sent a referral letter by regular mail to their address on file with ICBC. Section 31 of the MVA requires drivers to notify ICBC of a change of residential address within 10 days of the change.

Where a driver does not receive a referral letter, the driver may only receive a notice of cancellation (see section 3.2 of this Policy). ICBC will send the notice of cancellation to the address they currently have on file (i.e. any updated address), and the driver can then take steps to prevent cancellation and complete the ERA.

3.1 Compliance Timeframes

The referral letter specifies the timeframe in which the ERA must be completed. Drivers are typically given 60 days from the date of the referral letter to take the ERA.

Extensions to this timeframe may be granted in accordance with section 3.3 of this Policy.

3.2. Cancellation of Driver's Licence for Failure to Submit to ERA within Timeframe

Under section 92 of the MVA, the Superintendent may direct ICBC to cancel a driver's licence if the driver has failed to complete the ERA within the timeframe given in the referral letter.

If a driver fails to submit to the ERA within the required timeframe, then within 30 days from the last day the driver had to comply, ICBC must:

- review the driver's record and the Driver Fitness Case Management System² comments to confirm that the driver has not complied with the ERA requirement within the required time period, and
- send the driver a notice of cancellation informing them that the cancellation will go into effect 14 days from the date of the notice.

ICBC is directed to cancel the driver's licence 14 days after the notice of cancellation is generated if the driver has not yet complied with the ERA requirement or an extension of time has not been granted under section 3.3 of this Policy.

If a driver's licence has been cancelled under section 92(d) because the driver failed to submit to the ERA, the driver will remain ineligible for a driver's licence until the requirement to complete the ERA is met.

If a driver requests to schedule or reschedule an ERA after their driver's licence has been cancelled in the above circumstances, ICBC must contact RoadSafetyBC for approval to issue a learner's licence. If approval is given, the learner's licence ICBC issues must be valid for one year or less from the date of issue. After the ERA is completed, section 4.1 of this Policy applies.

3.3 Extensions

In some circumstances, an extension of the timeframe given to complete the ERA may be provided.

When a driver requests more time to complete the ERA requirement, ICBC must grant a 30-day extension except in the following circumstances:

- an extension has already been provided by RoadSafetyBC or ICBC for the same ERA referral;
- the Superintendent has directed that an extension should not be granted;
- the driver's licence has already been cancelled.

Any requests for subsequent extensions or requests for extensions greater than 30 days must be referred to RoadSafetyBC.

² Also known as "DFWeb".

When ICBC grants a driver's request for an extension, ICBC must

- update the driver's record to reflect the new compliance date;
- inform the driver in writing of the new compliance date; and
- report the extension to the Superintendent.

When requesting an extension of the timeframe given to complete the ERA, a driver must first book an ERA appointment and then request an extension. This is to ensure that an extension greater than 30 days will not be required or, if a longer extension is required that the request is referred to RoadSafetyBC. Open-ended extensions will not be provided.

Some of the reasons RoadSafetyBC may give a driver an extension greater than 30 days include:

- Out of town
- Illness
- Family emergency
- Inclement weather
- Insufficient appointment availability

4.0 The Enhanced Road Assessment

The ERA consists of a pre-trip vehicle orientation, an on-road drive with a feedback component, and a post-trip review. The assessment is conducted by an ICBC driver examiner in a passenger vehicle provided by the driver.

During the pre-trip vehicle orientation, the driver examiner will inspect the vehicle to ensure it meets the safety standards required for any ICBC road test. If the vehicle does not meet safety standards, the ERA will be discontinued. The driver examiner will ask the driver to demonstrate the use of vehicle safety controls while the vehicle is in park and record observations of the driver on the ERA report form.

The table below summarizes the required components of the ERA on-road drive.

ERA Tasks	Description	
A minimum number of particular driving manoeuvres	Right turns	10
	Left turns	10
	Stops	4
	Through intersections	8
	Lane changes	6
	Change in speed zone (school, playground)	2
	Parking manoeuvre	2
Adjust Safety Controls Task (2)	The driver will be asked to adjust a secondary vehicle control identified during the pre-trip vehicle orientation while driving (e.g. windshield wipers, headlights, defroster)	
Multiple Step Directions Task (2)	The driver examiner will provide the driver a three-step direction to follow.	
Reverse Route Task (1)	From a stopped position, the driver examiner will advise the driver they will be given directions away from the current location, then asked to follow exactly the same route back to the starting location.	
Feedback Component (1)	Approximately halfway through the on-road drive and with the vehicle in park, the driver examiner provides the driver with feedback on one or two types of errors, allowing the driver an opportunity to improve their driving for the remainder of the assessment.	

Highway driving is not an essential component of the ERA, but may be included depending on location.

The driver examiner will assess functional driving skills and behaviours, and note errors made and objective observations on the ERA report form. Errors with a lower safety risk are weighted lower and are worth fewer demerits.

The driver examiner will record any traffic violations, Dangerous Actions, or other safety concerns. A traffic violation is a violation of traffic rules under the MVA or its regulations. A Dangerous Action is any action or lack of action which results in or could result in a collision or loss of control of the vehicle. Other safety concerns are defined by ICBC in the Driver Licensing Procedures manual, which is used for all ICBC road tests. These include:

- hitting another road user, curb, or fixed object
- extreme deviation from the route directed by the driver examiner
- inability to operate equipment
- unable or unwilling to perform a manoeuvre
- excessive time taken to perform manoeuvres
- failure to enter an intersection on a green light after a complete cycle of lights

The driver's ability to complete tasks and respond to the feedback is also recorded by the driver examiner.

As with all road tests conducted by ICBC, the ERA on-road drive may be discontinued if the driver demonstrates dangerous and unsafe driving that is a risk to the driver examiner and/or other road users.

4.1 Licence Held After the ERA

After the ERA is completed, a post-trip review is conducted at the ICBC Driver Licensing Office. The driver is given an overview of how they performed on the assessment and provided with a copy of the ERA report form, which identifies errors that occurred and may include notes from the driver examiner.

ICBC must review the comments in the Driver Fitness Case Management System to determine whether there is a direction from the Superintendent to add a Driver Medical Fitness restriction to the driver's licence. If the comments indicate a restriction must be added, then ICBC must:

- add the restriction to the driver's licence;
- at time of issuance, circle the specific restrictions on the interim driver's licence and have the customer initial them;
- verbally tell the driver the restriction has been added to their licence and explain the restriction to the driver;
- identify the restriction on the ERA report;

- provide the driver the system-generated fact sheet which advises the driver on how they may apply to the Superintendent for a reconsideration;
- explain to the driver the process for applying to have the restriction removed; and
- provide the driver with a restriction notification letter.

ICBC may also place restrictions on a driver’s licence under the authority of section 25(12), which has been delegated from the Superintendent, or as permitted under section 25(14) of the MVA. The relevant Driver Medical Fitness restrictions for the purposes of the section 25(12) delegated authority are:

- R25 – Fitted prosthesis/leg brace required
- R26 – Specified vehicle modification required
- R28 – Restricted to automatic transmission
- R51 – Hand controls only

Any restrictions ICBC determines should be added to a driver’s licence after the ERA must be identified on the ERA report form and explained to the driver. If a Driver Medical Fitness Restriction has been added, the driver examiner must also explain the process for applying to have the restriction removed and provide the driver the system-generated fact sheet which advises the driver on how they may apply to the Superintendent for a reconsideration.

After the ERA is completed, the driver will hold one of the following:

- Full-privilege driver’s licence (DL) (with or without restrictions); or
- Learner’s driver’s licence (LDL) (with or without restrictions).

As per the *Motor Vehicle Act Regulations*, an LDL holder is only permitted to drive when accompanied by a licensed supervisor.

The licence a driver holds after the ERA depends on whether they committed a traffic violation, Dangerous Action, or other safety concern. This is summarized in the table below.

Licence held before taking the ERA	Traffic Violation(s), Dangerous Action(s), and/or other safety concern(s)	Licensing after the ERA, pending RoadSafetyBC decision
Class 5/7 DL	YES	<ul style="list-style-type: none"> – Class 5/7 DL cancelled – Class 5/7 LDL issued – If applicable, Class 1-4 LDL cancelled
Class 5/7 LDL	YES	<ul style="list-style-type: none"> – Class 5/7 LDL returned to driver
Class 5/7 DL	NO	<ul style="list-style-type: none"> – Class 5/7 DL returned to driver
Class 5/7 LDL	NO	<ul style="list-style-type: none"> – Class 5/7 DL issued

ICBC is directed under the authority of section 92(b) and (d)(i) of the MVA, to cancel a Class 5/7 DL and Class 1-4 LDL and issue a Class 5/7 LDL, as set out in the table above.

A letter specifying the type of licence the driver holds after the ERA and advising of the next steps of the process must be issued to the driver by ICBC on behalf of the Superintendent.

ICBC must send the ERA report form to RoadSafetyBC and submit a narrative report of the driver examiner's observations directly into the Driver Fitness Case Management System for RoadSafetyBC review. The narrative report must include the driver examiner's level of concern about the driver's ability to safely drive, based on objective observations. This must be recorded as low, moderate, or high. ICBC must also update the driver's record with the enhanced road assessment results.

If the driver examiner has significant safety concerns based on observations made during the ERA, the driver examiner must indicate "For Immediate Review" (FIR) on the ERA report form. The report will be prioritized during the RoadSafetyBC triage process and result in an expedited review of the driver's file.

5.0 RoadSafetyBC Licensing Decision

ERA results are prioritized relative to other documents received by RoadSafetyBC. Results are typically reviewed in order of date received; however, if an ERA report form has been marked FIR, it will be prioritized over regular ERA results. ERA results will typically be reviewed by RoadSafetyBC within 14 days of the date the ERA is completed.

RoadSafetyBC will make a licensing decision by determining whether the driver is medically fit and functionally able to safely drive.

The type of information considered by RoadSafetyBC when making a licensing decision includes:

- Medical information
- Police reports (if applicable)
- Unsolicited reports from concerned family members or citizens (if applicable)
- File history
- Driving record
- Number and types of errors made during the ERA as indicated on the ERA report form
- Driver examiner's narrative report of the ERA
- Driver's response to examiner's feedback given during the ERA

The possible licensing outcomes of a RoadSafetyBC licensing decision are:

- Full-privilege driver's licence;
- Restricted driver's licence; or
- Cancelled driver's licence.

In some cases, RoadSafetyBC may determine that further information is required in order to make a licensing decision, and may request an additional ERA or medical assessment(s).

Once the licensing decision has been made, RoadSafetyBC will send a decision letter to the driver by regular mail notifying them of the licensing decision or if further assessment is required.

If a driver's licence was previously cancelled under section 92(d), the first licence ICBC issues to the driver after the cancellation must be for a 2-year term.

5.1 Full-Privilege Driver's Licence

Where RoadSafetyBC finds that a driver is medically fit and functionally able to safely drive, the licensing outcome will be a full-privilege driver's licence, subject to any other prohibitions, suspensions or restrictions not related to medical fitness that may apply. If the driver holds a full-privilege driver's licence, no further action is required by the driver. If the driver holds an LDL,

they must return to an ICBC Driver Licensing Office to obtain a full-privilege driver's licence. The driver will be informed of any required action by RoadSafetyBC in writing.

RoadSafetyBC may schedule a re-assessment of the driver's medical fitness to drive for a later date. The re-assessment interval is based on the driver's medical condition and the results of the ERA.

5.2 Restricted Driver's Licence

RoadSafetyBC may determine that a restriction should be added to a driver's licence. For example, a driver may require the use of a device or technology to enable safe operation of a motor vehicle. Any restrictions placed on a driver's licence by RoadSafetyBC are in addition to restrictions, conditions or endorsements that may already be on the driver's licence. The driver will be informed of any restrictions added by RoadSafetyBC in writing, and must return to an ICBC Driver Licensing Office to be issued a driver's licence with the applicable restrictions.

RoadSafetyBC may schedule a re-assessment of the driver's medical fitness to drive for a later date. The re-assessment interval is based on the driver's medical condition and the results of the ERA.

5.3 Cancelled Driver's Licence

Where RoadSafetyBC finds that a driver is not medically fit and functionally able to safely drive, the licensing decision will be to cancel the driver's licence. RoadSafetyBC will direct ICBC to cancel the driver's licence pursuant to sections 92(b) and (d)(ii) of the MVA.

6.0 Review of an ERA Licensing Decision

A referral to the ERA is a mandatory requirement from the Superintendent under Section 29 of the MVA. If new medical information is submitted to RoadSafetyBC from a driver's medical professional, it will be reviewed and considered along with all other information in the driver's file. In some circumstances, this may result in the cancellation of an ERA requirement.

If a driver's licence is cancelled as a result of the ERA process, the driver may request a review of the cancellation decision. Reviews must be submitted to RoadSafetyBC from the driver or their medical professional by mail or fax or as otherwise specified in the cancellation decision letter. The cancellation decision letter will specify medical information that may be required for the review.

If a driver's licence is restricted as a result of the ERA process, the driver may request a reconsideration of the decision to apply any of the following Driver Medical Fitness Restrictions:

- R25 – Fitted prosthesis/leg brace required
- R26 – Specified vehicle modification required
- R28 – Restricted to automatic transmission
- R51 – Hand controls only

There is no fee or timeframe associated with a review or reconsideration. Reviews and reconsiderations are not conducted by the adjudicator or nurse case manager that made the original decision. The status of the driver's licence will remain unchanged while the review or reconsideration process is underway. The review process and reconsideration processes are outlined on the RoadSafetyBC website [here](#) and [here](#), respectively.