

Remedial Program Referral

Making an Application for Reconsideration

You may request a reconsideration of a referral to remedial programs once you have received a written referral decision letter from RoadSafetyBC. Please do not apply prior to receiving this referral decision letter, as your application cannot be accepted and processed until a referral has been made.

Referrals to remedial programs are based on a review of your driving record and this review is typically triggered by a drug or alcohol related driving event, or pattern of events. Referrals are issued at the Superintendent’s discretion under section 25.1 of the Motor Vehicle Act. Drivers cannot seek reconsideration when subject to mandatory requirements under section 25.2 of the Motor Vehicle Act and the Regulations to participate in the RDP or IIP.

For more information on referrals view the Guidelines for Referral to Remedial Programs Policy available on the RoadSafetyBC website www.gov.bc.ca/roadsafetybc.

Grounds for Reconsideration

The grounds for reconsideration of remedial referrals are not limited under the *Motor Vehicle Act* and you may make submissions on any grounds you believe are relevant to your specific referral. However, successful applications generally provide a credible case, supported by appropriate evidence (e.g. supporting documentation, notarized documentation, etc.) addressing issues such as;

- Why the remedial purpose of the programs will not be served in your specific case,
- Why you are unable to complete the requirements, **or**
- Why the negative consequences of completing the requirements outweigh the remedial benefits in your specific circumstances.

Please ensure that your submission contains all the information you want considered in the reconsideration of your remedial program referral.

Reconsiderations address the referral to remedial programs only and do not provide an additional opportunity to seek a review of any driving prohibition or sanction that may have led to the review of your driving record and subsequent referral. There are separate processes in place for reviews of prohibitions or offences on your driving record.

Therefore, arguments that seek to overturn the underlying prohibition or offence cannot be considered unless they are relevant to the question of whether remedial programs are required in your case.

Other arguments not likely to be successful include:

- Your opinion on the validity of the prohibition(s) or sanction(s)
- General remorse over the prohibition(s) or sanction(s) on your driving record
- Your opinion about the remedial programs and their benefits
- General arguments about the inconvenience and cost, and/or
- Concerns associated with any embarrassment or stigma associated with participation in the programs.

Reconsideration Decision

A RoadSafetyBC adjudicator will decide the case on its merits, and will uphold, vary or terminate the referral in a written decision. An adjudicator can consider your five year driving record and history, personal or financial hardship, family responsibilities, employment, public safety and any other relevant information you submit.

Once the reconsideration has concluded you will be advised of the outcome in writing.

If a reconsideration is unsuccessful, an applicant may only apply for a subsequent reconsideration where there has been a material change in circumstances.

These guidelines are not binding rules and RoadSafetyBC adjudicators must consider all relevant evidence in the circumstances of each individual case in order to determine whether the referral is warranted. These guidelines are intended only to help applicant decide whether to submit a request for reconsideration in their case and to assist the applicant in drafting their submissions and submitting evidence.

Ministry of Public Safety and Solicitor General MV0705 (Rev: 20180823)	RoadSafetyBC www.gov.bc.ca/roadsafetybc	PO Box 9254 Stn Prov Gov Victoria BC V8W 9J2	Facsimile: (250) 953-8639
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FIRST 3 LETTERS OF
YOUR SURNAME

YOUR BC DRIVER'S LICENCE NO.



RoadSafetyBC

Please Print Clearly

Remedial Program Referral - Application for Reconsideration

The personal information on this form is collected under the authority of the *Motor Vehicle Act (RS British Columbia 1996, c. 318, s. 215.48)* and the *Freedom of Information and Protection of Privacy Act (RS British Columbia 1996, c. 165, s. 26 (a) and (c))*. The personal information collected will be used by RoadSafetyBC to facilitate the reconsideration of the remedial program referral referred to herein. If you have any questions about the collection, use and disclosure of the information collected, contact RoadSafetyBC, at PO Box 9254 Stn Prov Govt, Victoria BC V8W 9J2, phone (250) 387-7747.

Provide the following information:		
SURNAME (please print clearly)		GIVEN NAMES
MAILING ADDRESS		
CITY	PROVINCE	POSTAL CODE
BC DRIVER'S LICENCE NO.	DATE OF BIRTH (ddmmyyy)	PHONE NUMBER
DRIVER'S SIGNATURE		DATE (ddmmyyy)

RECONSIDERATION OF REFERRAL TO RESPONSIBLE DRIVER PROGRAM IGNITION INTERLOCK PROGRAM

Before submitting your Application for Reconsideration to RoadSafetyBC ensure the following:

- Application for Reconsideration is complete, including all mandatory information
- Written submission, including relevant supporting documentation and evidence, is attached

ATTACHMENTS PROVIDED: _____ PAGES

Instructions for applying for a Remedial Program Referral Reconsideration

Please review the "Making an Application for Reconsideration" guidelines before applying.

Clients seeking reconsideration of a referral to remedial programs must send a written submission along with this completed Application for Reconsideration to RoadSafetyBC via mail or fax at:

RoadSafetyBC
PO BOX 9254 STN PROV GOVT
VICTORIA BC V8W 9J2

Facsimile: (250) 953-8639

Your written submission must:

- Provide reasons why you believe the referral should be varied or terminated
- Include all relevant supporting documentation or evidence you wish the Superintendent to consider on reconsideration.

If a reconsideration is unsuccessful, an applicant may only apply for a subsequent reconsideration where there has been a material change in circumstances.

Please ensure that your submission contains all the information you want considered in the reconsideration of your remedial program referral. If your application is filed within 30 days of your Notice of Referral, your referral will be stayed while a reconsideration is being conducted. However, you must provide a completed application and submission otherwise the stay will not be granted. If your application is filed more than 30 days after your referral, your referral proceeds uninterrupted while your reconsideration is being completed and you must register and participate in the program to which you have been referred as a condition of keeping your driving licence or before you can regain driving privileges.