

Vehicle Impoundment Program

The Program

The Vehicle Impoundment Program is a road safety program that requires police to immediately remove prohibited or unlicensed drivers and street racers from the road by impounding the vehicle they are operating.

Vehicle Impoundment

A vehicle is impounded (towed and locked up) for 30 days or longer if the driver does not have a valid driver's licence and has been previously convicted of driving without a licence. A vehicle is impounded for 60 days or longer if the driver is prohibited from driving or their driver's licence has been suspended. A vehicle operated in a street race is impounded for 48 hours.

NOTE: The impoundment period is extended an extra 30 days if there was a previous impoundment for prohibited or unlicensed driving in the last two years. It increases to 30 days from 48 hours if there was a previous impoundment for street racing in the last two years.

A police officer issues the prohibited, suspended or unlicensed driver of the vehicle, or street racer, a Notice of Vehicle Impoundment right at the roadside and a copy is mailed to the registered owner of the vehicle.

When Impoundment Period Ends

After the period of impoundment ends, the owner may reclaim the vehicle. The owner or authorized representative must complete a Request for Vehicle Release available at any driver licensing office and then go to the impound lot to retrieve the vehicle and pay the towing and storage fees.

Applying for Review

You may request a review of a vehicle impoundment from the Superintendent of Motor Vehicles if the impoundment is for prohibited or unlicensed driving. There is no review of a 48-hour impoundment for street racing. Applications for review must be made **within 30 days** of the date of the Notice of Impoundment.

You must complete an application for review or request for early release form. Copies of the form are available at any driver licensing office. You may apply in person or a lawyer may act on your behalf. The review grounds are set out in the application form.

All transactions require proof of identity and proof of motor vehicle ownership, or owner's consent. If the Notice of Impoundment is available, it should be included.

Early Release

Your vehicle may be released early (i.e., released prior to the end of the impoundment period) if:

- it was stolen (contact the police),
- the unlicensed driver of the impounded vehicle obtains a valid driver's licence, or
- the vehicle was impounded for street racing and the registered owner was not driving the vehicle (the vehicle will be released to the owner).

A person with a valid driver's licence who resides with the vehicle owner may apply for compassionate early release of the vehicle if it can be shown that the vehicle is needed for work, education or medical treatment and no other form of transportation is available. Both the owner

and the applicant must apply together. A business owner may also request early release of a vehicle if the owner can demonstrate that the impoundment would create economic hardship.

Application Process

You must complete an Application for Review or Application for Early Release form available at any driver licensing office. You may apply in person or a lawyer may act on your behalf.

Include all relevant information in support of your application. For example, if you apply for review on the grounds that you exercised reasonable care and diligence when entrusting your vehicle to a prohibited driver, you should explain what steps you took to determine that the driver had a valid licence.

The grounds for review are set out on the application form. Prior to the review, you will receive a copy of police information that the adjudicator will consider. You will be given an opportunity to present further information to the adjudicator before the review is held.

Application Fees:

The Application for Review is to be submitted along with a review fee, depending how you want to present your case:

- a written review costs \$50 – you will document your case in writing. The adjudicator will consider information provided by you and by the police when making a decision.
- an oral review costs \$100 – you will present your case, on a scheduled date, to an adjudicator. The adjudicator will phone you to ask for your explanation. You may also make a written submission in advance of the oral review.

The Application for Early Release costs \$100.

Review Decision

The adjudicator will send the written decision to the registered owner of the vehicle within seven days of the date the review was held. The decision will indicate whether the vehicle should be released or the impoundment should continue for the full term. Towing and storage fees may either be waived or upheld, depending on the circumstances of the impoundment. The decision is final, but subject to judicial review.

Early Release Decision

If the application is successful, the vehicle owner must pay a vehicle release fee of \$100 if the vehicle is released early on compassionate grounds or \$450 if it is released on economic hardship grounds. If the application is denied, the vehicle will be impounded for the full term outlined in the Notice of Impoundment. The decision is final, but subject to judicial review.

Reclaiming Your Vehicle Upon Decision

Unless advised otherwise by an adjudicator, the owner or authorized representative must complete a Request for Vehicle Release available at any driver licensing office and then go to the impound lot to retrieve the vehicle and pay the towing and storage fees.

For more information, visit:

- Office of the Superintendent of Motor Vehicles Web site at www.pssg.gov.bc.ca/osmv
- ICBC's Web site at www.icbc.com