

BC's Indefinite Licence Suspension Program

FACT
sheet

The Indefinite Licence Suspension (ILS) Program was introduced to improve road safety in B.C. and get dangerous drivers off the road. Drinking driving is one of the leading causes of death on B.C. roads, contributing to 30 per cent of all traffic fatalities. In 1998, alcohol-related crashes in B.C. claimed the lives of 123 people.*

ILS aims to take the most dangerous drivers off the road and keep them off for longer periods of time. The program cracks down on impaired and dangerous driving, especially by repeat offenders.

Who it Affects

ILS program suspensions apply to B.C. drivers convicted of motor vehicle-related Criminal Code of Canada offences (such as impaired driving or dangerous driving), anywhere in Canada.

Following conviction, driver's licence suspensions are automatic and become longer for each conviction a person receives within 10 years of a previous conviction.

How it Works

A driver's licence suspension applies to a person's B.C. driver's licence and their right to obtain a B.C. driver's licence. Since a person must have a valid driver's licence to drive legally, a licence suspension takes them off the road.

To receive an ILS program suspension, a person must be convicted of an offence that occurred on August 29, 1997 or later. Convictions dating back to August 29, 1992 are also counted in setting the suspension length.

First conviction	Automatic one-year licence suspension
Second conviction	Automatic three-year licence suspension
Third conviction or more	Automatic indefinite licence suspension**

* Traffic Collision Statistics Report 1998

**An indefinite licence suspension may be ended after 10 years if the person successfully completes a remediation program prescribed by the B.C. government. These programs are being developed.

Why it Works

The ILS program is:

Automatic — Suspensions apply automatically to the driver's licences of people convicted of motor vehicle-related Criminal Code of Canada offences.

Mandatory — Suspensions cannot be appealed to the courts or the Superintendent of Motor Vehicles and cannot be reduced to less than the one-, three- and 10-year minimums.

Escalating — Suspensions automatically increase in length for people who are convicted again within 10 years of a previous conviction.

Tough — People who get a third conviction face an indefinite licence suspension, with no chance to get back on the road for at least 10 years.

Other Driving Penalties

Impaired and dangerous drivers face a range of other penalties in addition to an ILS program suspension. These include several types of driving prohibitions and other sanctions.

The Indefinite Licence Suspension Program works along with these other penalties to get dangerous drivers off the road and keep them off.

Common Questions

1. What Criminal Code of Canada (CCC) offences lead to an ILS program suspension?

The following motor vehicle CCC offences trigger an ILS program suspension:

- CCC220 Causing death by criminal negligence*
- CCC221 Causing bodily harm by criminal negligence*
- CCC236 Manslaughter involving a motor vehicle
- CCC249 (1)(a) Dangerous operation of a motor vehicle
- CCC249 (3) Dangerous operation of a motor vehicle causing bodily harm
- CCC249 (4) Dangerous operation of a motor vehicle causing death
- CCC252 (1) Failure to stop at the scene of an accident
- CCC253 (a) Operating a vehicle while impaired by drugs or alcohol
- CCC253 (b) Operating a vehicle with more than 80 mg% alcohol in the blood
- CCC254 (5) Failure/refusal to provide a sample of breath or blood
- CCC255 (2) Operation of a motor vehicle while impaired causing bodily harm
- CCC255 (3) Operation of a motor vehicle while impaired causing death

*must be motor vehicle-related

2. What happens if your licence is suspended under the ILS program and you drive anyway?

If you are caught while an ILS program suspension is in effect, you can be charged with driving while suspended:

First Conviction Jail for seven days to six months, a fine of \$300 to \$2,000 and 10 driver penalty points

Subsequent conviction Jail for 14 days to one year, a fine of \$300 to \$2,000 and 10 driver penalty points

3. What happens if you need your driver's licence for work?

There is no exemption from an ILS program suspension or a reduction in its length if you need a driver's licence to work. ILS program suspensions apply equally to all B.C. drivers and out of province drivers who apply for a B.C. driver's licence.

4. What should you do if you receive a Notice of Suspension and a Notice of Prohibition in the mail?

You should sign both notices and return them to the address noted on the letters. If you do not, a process server or an enforcement officer may serve you the notices.

5. Is the length of the suspension added onto the length of driving prohibitions you receive at the same time?

No. Licence suspensions and automatic driving prohibitions are served at the same time, starting from the date of sentencing.

6. Do you have to turn in your driver's licence if it has been suspended?

Yes. If your driver's licence has been suspended it must be surrendered to either the police at roadside or to ICBC. You will be required to reapply for a licence when the suspension has ended.

For more information, call 1-800-950-1498 (toll-free throughout B.C.) or 250-978-8300 (in Victoria). Or visit www.icbc.com

Statement of Limitation

This FACT SHEET has been prepared as a summary. In the event there is a discrepancy between the information provided here and the actual legislation, the legislation will be considered as correct.