

*I'm pleased to communicate that today, April 27, the Honourable Mike de Jong, Solicitor General, tabled an extensive package of amendments to the Motor Vehicle Act. The amendments are related to impaired driving, motorcycle safety, vehicle impoundment, and driver fitness. The bill is available at:*

*[http://www.leg.bc.ca/39th2nd/1st\\_read/gov14-1.htm](http://www.leg.bc.ca/39th2nd/1st_read/gov14-1.htm) and the news releases are at [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2010PSSG0026-000472.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2010PSSG0026-000472.htm) and [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2010PSSG0025-000470.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2010PSSG0025-000470.htm)*

### *Impaired Driving*

*The impaired driving amendments will give BC the toughest impaired driving laws in Canada. Evidence shows that the prevalence of impaired driving is again on the rise. New tools and sanctions are required in order to deter drinking and driving, and to prevent injuries and deaths. With this new approach, BC's goal is to reduce impaired driving fatalities by 35 percent by 2013. This goal has been adopted in memory of Alexa Middelaer. Alexa was four years old when she was killed by an alleged drunk driver in Delta two years ago. In the year 2013 Alexa would have celebrated her 10th Birthday with her brother Christian and parents Laurel and Michael. A very special thanks also goes out to our police partners and partners at MADD Canada who provide invaluable leadership and inspiration to achieve outcomes in this challenging area of road safety.*

*Briefly, drivers who provide a breath sample in the "warn" range (0.05 to 0.08) will face an immediate 3-day driving ban, a \$200 fine, a \$250 drivers license reinstatement fee, and the loss of their vehicle for 3 days. Drivers who are caught in the "warn" range for a second time in a 5-year period will face an immediate 7-day driving ban, a \$300 fine, a \$250 drivers license reinstatement fee, and the loss of their vehicle for 7 days. Drivers who blow a "warn" for the third time in a 5-year period will receive an immediate 30-day driving ban, a \$400 fine, a \$250 drivers license reinstatement fee, the loss of their vehicle for 30 days, and requirement to enrol in both the Responsible Driver Program and the Ignition Interlock Program.*

*Drivers who provide a breath sample in the "fail" range (over 0.08) will receive an immediate 90-day driving ban, a \$500 fine, a \$250 drivers license reinstatement fee, the loss of their vehicle for 30 days, and will be required to enrol in both the responsible drivers program and the ignition interlock program. Police retain the discretion to lay criminal charges against drivers who blow over 0.08. Additional information specific to the impaired driving initiative can be found on the OSMV website at [www.pssg.gov.bc.ca/osmv/](http://www.pssg.gov.bc.ca/osmv/)*

### *Vehicle Impoundment*

*The amendments to the vehicle impoundment program represent nearly two years of careful analysis and extensive consultation with the towing and vehicle impound*

*industry and police. The result is a package of innovative changes and improvements to the program as outlined below. These changes also support the above impaired driving amendments.*

- *Introducing vehicle impoundments for offences where research indicates that they will be effective sanctions and lead to behavioural change, such as street racing, stunt driving, and excessive speeding;*
- *Adjusting the impoundment lengths for unlicensed, prohibited, and suspended driving infractions;*
- *Closing a loophole which allows unlicensed drivers to drive with minimal consequences when caught;*
- *Providing towing companies with greater flexibility when disposing of abandoned impounded vehicles and to deregulate the procedures for doing so;*
- *Improving on measures which hold vehicle owners accountable for their debts to towing companies; and,*
- *Making all of these improvements while at the same time improving the stability of the existing user-pay model.*

### *Motorcycle Safety*

*Motorcycle riders are among our most vulnerable road users and fatalities have dramatically escalated in recent years. The motorcycle-related amendments announced today reflect best practices in other jurisdictions, current research and advice obtained through consultations with stakeholders and industry. They will improve road safety for motorcyclists in British Columbia by:*

- *Requiring motorcycle drivers and passengers to wear helmets that meet recognized safety standards;*
- *Adding a new requirement for passengers to keep their feet firmly planted on the foot pegs or floorboards of the motorcycle;*
- *Holding drivers responsible for ensuring children passengers under 16 meet helmet and seating requirements;*
- *Allowing police to inspect helmets and seize those that do not meet prescribed standards; and,*

- *Creating regulation-making powers to specify the power of motorcycles that a class of persons, such as new riders, may drive, and to prescribe standards and specifications for motorcycle safety helmets.*

*The motorcycle power-related provisions do not create a licensing restriction in themselves; rather, they allow for regulations to be made. My office will ensure any such restrictions are communicated well in advance of their implementation. As many of you know, regulatory amendments relating to new graduated licensing requirements (including power restrictions mentioned above) for new motorcycle riders are also in the process of being developed. These will also be based on best practices in other jurisdictions, current research and advice obtained through consultations with stakeholders and industry.*

### *Driver Fitness*

*The amendments to the driver fitness provisions of the legislation provide language designed to assist physicians, nurse practitioners, occupational therapists, psychologists, optometrists and other medical practitioners by clarifying the medical conditions or impairments that affect someone's ability to drive, and that must be reported to the Superintendent of Motor Vehicles under Section 230. The amendments also provide new mandatory and discretionary reporting provisions, as well as liability protection in exercising the duty and authority to report. In addition, the amendments eliminate the outdated provisions that allow drivers to be exempt from wearing seatbelts due to medical reasons.*

*My office greatly appreciates the support and involvement of our many road safety partners. If you have any questions, please don't hesitate to contact me or any member of the OSMV executive team.*

*Topic specific contacts are:*

*Tyann Blewett or Stephanie Melvin for questions related to impaired driving;*

*Corey Bowness for questions related to motorcycles; or*

*Brad Gerhart for questions related to vehicle impoundment or driver fitness.*

*Steve*

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