



Investigation into the adequacy and effectiveness
of the Ministry of Transportation's
notifications and communications with drivers
about licence suspensions and reinstatements



ONTARIO'S WATCHDOG

1-800-263-1830

www.ombudsman.on.ca

Office of the
Ombudsman
of Ontario

We are:

An independent office of the Legislature that resolves and investigates public complaints about Ontario government organizations and municipalities, universities and school boards. The Ombudsman recommends solutions to individual and systemic administrative problems.

Our Values:

Fair treatment
Accountable administration
Independence, impartiality
Results: Achieving real change

Our Mission:

We strive to be an agent of positive change by promoting fairness, accountability and transparency in the public sector.

Our Vision:

A public sector that serves citizens in a way that is fair, accountable and transparent.

 Ontario Ombudsman

 @Ont_Ombudsman

 OntarioOmbudsman

SUSPENDED STATE

DIRECTOR, SPECIAL OMBUDSMAN RESPONSE TEAM

Gareth Jones

LEAD INVESTIGATORS

Rosie Dear

Grace Chau

INVESTIGATORS

Domonie Pierre

Armita Bahador

May El-Abdallah

Elizabeth Weston

Chris McCague

EARLY RESOLUTION OFFICER

Mital Patel

COUNSEL

Robin Bates

GENERAL COUNSEL

Laura Pettigrew



Ombudsman Report

Investigation into the adequacy and effectiveness
of the Ministry of Transportation's
notifications and communications with drivers
about licence suspensions and reinstatements

Suspended State

Paul Dubé
Ombudsman of Ontario

September 2018

Table of Contents

| | |
|--------------------------------------------------------------------|----|
| Executive Summary | 5 |
| Investigative Process | 7 |
| Complaints about Ministry notices | 7 |
| Scope of investigation..... | 9 |
| Driving in Ontario | 10 |
| Suspensions for unpaid fines..... | 11 |
| Consequences of driving with an invalid licence..... | 11 |
| Accident in a suspended state – Mike’s story | 12 |
| The Road to Suspension..... | 12 |
| Step 1: That’s the ticket | 13 |
| Step 2: Order of the court | 14 |
| Step 3: In suspense | 15 |
| Step 4: Outstanding news..... | 16 |
| Escaped Notice: Delivery Problems | 17 |
| Returned mail | 17 |
| Residential and mailing addresses | 18 |
| Surprise suspension: The notice is in the mail..... | 19 |
| Correspondence reports – Raymond, Kevin and Robert’s stories | 21 |
| Return to grace? | 21 |
| Helping drivers help themselves | 24 |
| Proactive versus reactive approach..... | 25 |
| Lost in Translation: Communication Issues..... | 29 |
| Notice of Suspension..... | 29 |
| Lack of directions - Darcy’s story | 31 |
| Notice of Outstanding Licensing Requirements | 33 |
| What outstanding requirement? | 33 |
| Paying the price | 34 |
| Temporary licence..... | 35 |
| Graduated licensing | 35 |
| “May” versus “will” | 37 |
| Searching for Answers: Customer Service..... | 38 |
| Driven to distraction | 39 |
| Going in circles – Pierre’s story..... | 39 |
| Delayed reaction – Pablo’s story..... | 40 |
| “A really mean trick” - Sophie’s story..... | 40 |

| | |
|------------------------------------------------------------|----|
| Levels of service | 41 |
| ServiceOntario locations | 41 |
| ServiceOntario Driver and Vehicle Contact Centre | 42 |
| Ministry of Transportation Driver Control Section..... | 42 |
| One government, one-stop service..... | 43 |
| This Call May Not be Recorded: Monitoring Issues | 45 |
| Recording and quality assurance..... | 45 |
| “It’s not my job” - Javier’s story..... | 45 |
| Improving control | 46 |
| Tracking satisfaction and complaints | 49 |
| Opinion..... | 51 |
| Recommendations | 52 |
| Response | 57 |
| Appendix A: Examples of Notices | 59 |
| Appendix B: Response from Ministry of Transportation | 69 |

Executive Summary

- 1 Every year, Ontario issues some 100,000 driver's licence suspensions for failure to pay fines for offences that can be as minor as low-level speeding, obstructed licence plates, or neglecting to signal, or more serious, such as driving without insurance or while suspended. While drivers are ultimately responsible for paying their fines, the Ministry of Transportation is responsible for notifying them that they have lost their privilege to drive, and what they can do to reinstate it. But thousands of drivers never receive these notices, or are confused by them. Unaware that their licences are invalid, they continue to drive, at considerable personal and financial risk – to themselves and others.
- 2 My Office receives hundreds of complaints each year about the Ministry, most related to driver licensing. Since 2014, we have closely monitored the Ministry's administrative process for communicating with drivers about suspensions and reinstatements. Our work with Ministry officials in resolving these complaints resulted in incremental improvements in the notices sent to drivers. However, we continued to receive complaints, and in May 2017, I informed the Ministry that I was launching a systemic investigation into the underlying issues. We received an additional **107** complaints after the investigation was announced.
- 3 For Ontario drivers, the licence suspension process begins when a police officer tickets you for an offence, usually under the *Highway Traffic Act*. The ticket indicates you must pay the associated fine or contest the ticket to avoid further consequences. If you do nothing, the local provincial offences court convicts you and sends you a notice by mail. This notice informs you that that your licence “may” be suspended if you do not pay the fine by a certain date. If you don't pay, the court orders the Ministry to suspend your licence, and the Ministry mails you notification of this fact.
- 4 However, every year, thousands of suspension notices are returned to the Ministry as undeliverable. Some drivers only discover they are suspended when they attempt to renew their licences or vehicle plates. Some find out through contact with police or insurance providers. Many unwittingly drive with suspended licences, sometimes for years. Driving while suspended can result in driving without insurance, which creates significant risks, not just for the driver but the public at large. Innocent third parties involved in accidents with suspended drivers may receive only limited compensation for their injuries.
- 5 Mike,¹ for example, made an illegal right-hand turn in Toronto in early 2011, while taking his mother, who was undergoing cancer treatment, to the hospital. Police issued him a ticket, and he later received a notice in the mail reminding him to

¹ All names in this report have been anonymized to protect confidentiality.

pay the fine. He decided to dispute the ticket, but his mother passed away and it slipped his mind.

- 6 Two months later, Mike was involved in a car accident. At the scene, police checked his licence and informed him that it had been suspended that very day, for failure to pay the right-turn fine. Mike was stunned to learn of the suspension. The notice informing him of this fact was still in the mail. The Ministry's practice is to mail suspension notices for unpaid fines on the day they take effect, with no grace period. In Mike's case, the notice wasn't delivered to him until almost a week later.
- 7 After his accident, Mike was faced with a \$1-million lawsuit, and his insurance company wouldn't defend him because his suspended licence invalidated his coverage. Fortunately, he was able to obtain an extension of time to appeal his original driving offence fine. The court dismissed the charge and his insurance company defended the lawsuit.
- 8 For most drivers, the consequences of not knowing of a suspended licence become worse with time. The longer your licence is suspended, the more difficult it becomes to regain your driving privilege. Even once you pay your unpaid fine, your licence is still cancelled until you follow the required steps to have it reinstated. If your suspension has been for less than a year, you must pay a reinstatement fee. If it has been more than a year, you must also complete a vision test. If your licence has been invalid for three years or more, you are essentially treated as a new driver and must take the tests required by Ontario's graduated licensing system.
- 9 Our investigators spoke to several suspended drivers who paid their outstanding fines, but didn't realize they were also required to pay a reinstatement fee. For instance, Darcy, a Carleton Place mother who relied heavily on her car, received a speeding ticket in May 2012. She initially forgot to pay the fine, but did so in September 2012. It wasn't until she moved to Ottawa in early 2016 and went to ServiceOntario to change the address on her driver's licence that she learned it had been invalid for more than three years. In fact, it was suspended in August 2012 and then cancelled, because she failed to pay a reinstatement fee after she paid her fine.
- 10 Darcy told us she never received any notices from the Ministry and had no idea she had to pay a reinstatement fee to get her licence back. She was astonished to be told that after driving for almost 30 years, she had to go through the same tests as a novice driver. It cost her three days off work and hundreds of dollars in fees to regain her licence, all because of lapses in communication over a speeding ticket she had paid years earlier.

- 11 We also found that even when drivers do receive notices about unpaid fines and resulting suspensions, they are often confounded by the content. The notices are confusing, complicated, and poorly formatted, and never actually state that failure to pay a fine will result in licence suspension.
- 12 Yet when drivers try to raise concerns or questions about their suspensions with the Ministry and ServiceOntario, they often encounter poor customer service or a runaround. Sophie, who had gone without a licence for more three years because she couldn't afford to pay a speeding fine, wasn't told until after she paid the licence reinstatement fee that she would have to pay for additional tests to regain her licence. Pierre and Pablo were shunted from one office to another in search of answers about how their licences were suspended without their knowledge. We also learned that the Ministry does little to monitor and document these interactions or to ensure drivers are receiving consistent, accurate and clear information.
- 13 My investigation concluded that the Ministry of Transportation's administrative process for notifying and communicating with drivers about licence suspensions and reinstatements related to unpaid fines is unreasonable, unjust, and wrong under the *Ombudsman Act*. This report makes **42** recommendations to address these serious issues.
- 14 Drivers deserve clear, straightforward and timely notice that an unpaid fine will render their licences invalid. As a matter of fairness and road safety, the Ministry must do a better job of informing drivers of their status, rather than leaving them to be caught by surprise.

Investigative Process

Complaints about Ministry notices

- 15 As the accompanying chart illustrates, our Office routinely receives hundreds of complaints about the Ministry of Transportation per year, most of them related to driver licensing. Beginning in 2013-2014, we noticed a trend in complaints from drivers who said they had no idea their licences had been suspended for unpaid fines.

Complaints received, April 1, 2014 to March 31, 2018

| Fiscal year | Total complaints about Ministry of Transportation | Complaints about driver licensing | Complaints about suspensions for unpaid fines |
|-------------|---------------------------------------------------|-----------------------------------|-----------------------------------------------|
| 2013-2014 | 525 | 375 | 37 |
| 2014-2015 | 566 | 443 | 27 |
| 2015-2016 | 582 | 454 | 37 |
| 2016-2017 | 474 | 327 | 27 |
| 2017-2018 | 597 | 370 | 101* |

*Includes complaints received in wake of investigation launch in May 2017.

- 16** In response to these complaints, Ombudsman staff began to assess the Ministry’s notification process and identify issues. These issues and the Ministry’s progress in responding to them were noted in our Annual Reports.
- 17** For instance, in 2013-2014, we pointed out to the Ministry that its notice advising drivers of additional steps they must take to reinstate their licences after paying their fines was called “Notice of Reinstatement.” Many mistakenly took this to mean their licences were valid.² In response to concerns brought forward by our Office, in January 2015, the Ministry renamed it “Notice of Outstanding Licensing Requirements.”³ Although our Office hoped that this would eliminate some confusion, we still continued to see issues with this notice.
- 18** The Ministry also conducted a four-week pilot project in July and August 2015 to study the impact of possible changes to the Notice of Suspension on the rate at which drivers paid fines and reinstatement fees. The study found that the alternative versions of the notice did not change drivers’ behaviour, and it did not result in any changes to the notice wording.
- 19** In 2015-2016, we raised serious concerns with the Ministry about how it tracks the notices it mails out, in light of drivers’ complaints about not receiving them.⁴ The Ministry acknowledged that 4% to 5% of the mail it sent

² Ombudsman of Ontario, Annual Report 2013-2014, “Licence suspension letters,” online: https://www.ombudsman.on.ca/resources/reports-and-case-summaries/annual-reports/2013-2014-annual-report#Licence_suspension_letters

³ Ombudsman of Ontario, Annual Report 2014-2015, “Licence suspension letters,” online: https://www.ombudsman.on.ca/resources/reports-and-case-summaries/annual-reports/2014-2015-annual-report#Licence_suspension_letters

⁴ Ombudsman of Ontario, Annual Report 2015-2016, “Correspondence issues,” online: <https://www.ombudsman.on.ca/resources/reports-and-case-summaries/annual-reports/2015-2016-annual-report#Correspondence%20issues>

out was returned as undelivered, with approximately 1% relating to unpaid fine suspensions. It pledged to study further improvements.⁵

- 20** We continued to receive similar complaints, and on March 31, 2017, the *Toronto Star* published a front-page story about the Ministry's process for suspending and reinstating drivers' licences, featuring James Strachan, who drove for four years with no knowledge that his licence had been suspended for an unpaid fine.⁶ The article attracted substantial attention, and other drivers who had similar experiences shared their stories in two follow-up articles.⁷
- 21** Despite the incremental improvements made by the Ministry over several years of working with our Office on this issue, the continued complaints and the response to the media stories demonstrated serious underlying issues. On May 24, 2017, I notified the Ministry of Transportation that I was launching an investigation into the adequacy and effectiveness of the Ministry's administrative process for notifying and communicating with drivers about licence suspensions and reinstatements. That same day, I publicly announced the investigation and invited affected members of the public to contact my Office. Between May 24, 2017 and June 5, 2018, we received **107** complaints related to suspensions for unpaid fines.

Scope of investigation

- 22** Although drivers can be suspended for several reasons, I chose to limit my investigation to suspensions resulting from unpaid fines. Other types of suspensions involve different administrative processes and raise distinct considerations: For instance, drivers suspended for certain *Criminal Code* offences receive notice by registered mail, while drivers suspended for medical reasons receive notices tailored to their specific circumstances.
- 23** Investigators from our Special Ombudsman Response Team, assisted by members of our Legal team and one Early Resolution Officer, carried out the

⁵ Ombudsman of Ontario, Annual Report 2016-2017, "Correspondence issues," online: <https://www.ombudsman.on.ca/resources/reports-and-case-summaries/annual-reports/2016-2017-annual-report#Correspondence%20issues>

⁶ Norris McDonald, "Toronto man battles to licence back amid bureaucratic nightmare," *Toronto Star* (31 March 2017), online: <https://www.thestar.com/news/gta/2017/03/31/toronto-man-battles-to-get-licence-back-amid-bureaucratic-nightmare.html>

⁷ Norris McDonald, "Ontarians' lives in turmoil over arbitrarily suspended drivers' licences," *Toronto Star* (7 April 2017), online: <https://www.thestar.com/news/gta/2017/04/07/ontarians-lives-in-turmoil-over-arbitrarily-suspended-drivers-licences.html> and Norris McDonald, "Ontario to review how it notifies drivers of licence suspensions," *Toronto Star* (13 April 2017), online: <https://www.thestar.com/news/queenspark/2017/04/13/ontario-to-review-how-it-notifies-drivers-of-licence-suspensions.html>

investigation. In addition, a dedicated team of five Early Resolution Officers and investigators helped triage and follow up on individual complaints we received.

- 24** Investigators reviewed thousands of pages of documents, including emails, driving records, service provider agreements, relevant policies, briefing notes, internal communications, and other information provided by the Ministry at my request. For the first time, investigators used e-Discovery software to organize and review the documents we received.
- 25** The team also conducted 70 interviews with complainants, Ministry staff, and other stakeholders, including the Ministry of the Attorney General, Ministry of Government and Consumer Services, Treasury Board Secretariat and the Ontario Provincial Police (Highway Traffic Division), as well as municipal court administrators, insurance companies, Canada Post, stakeholder associations, and regulatory bodies such as the Financial Services Commission of Ontario. As well, they reviewed driver notification processes in jurisdictions across Canada, attended briefing sessions by the Ministry of Transportation, the Ministry of the Attorney General, and ServiceOntario, and visited several ServiceOntario locations, its “contact centre” and the Ministry’s Driver Control Section, to observe how these organizations handle inquiries from members of the public.
- 26** We received excellent co-operation from the Ministry and other public sector bodies during the course of the investigation.

Driving in Ontario

- 27** The Ministry of Transportation is responsible for driver licensing and vehicle registration in Ontario. At present, there are approximately **9.8 million** licensed drivers and 12.3 million registered vehicles in the province.
- 28** Driving is a privilege, not a right. Every driver must be in possession of a valid driver’s licence to legally operate a motor vehicle.⁸ The regulations associated with the *Highway Traffic Act* state that a valid driver’s licence is one that is not expired, cancelled, or under suspension.⁹
- 29** If you are a novice driver, you must complete a three-step licensing process that consists of a vision test, knowledge test, and two road tests over at least 20

⁸ *Highway Traffic Act*, RSO 1990 c H 8, s 31.

⁹ O Reg 340/94, under the *Highway Traffic Act*, s 1(1).

months.¹⁰ Once you are fully licensed, you must renew your licence every five years.¹¹

- 30** The privilege to drive can be taken away for many reasons. Your licence can be **suspended** in various instances, such as if you accumulate too many demerit points, commit driving-related *Criminal Code* offences, or fail to pay a driving-related fine under the *Highway Traffic Act* or other statute. It can be **cancelled** if you fail to pay the reinstatement fee after being suspended. Your licence is also cancelled if you voluntarily surrender it, as is typically required to obtain a licence in another province.

Suspensions for unpaid fines

- 31** The Ministry of Transportation began suspending drivers' licences for unpaid fines in 1973. Today, just over half of all suspensions it issues are for defaulted fines. In 2016, there were almost 170,000 suspended drivers in Ontario. More than **90,000** of these drivers were suspended for unpaid fines.
- 32** If you don't pay or contest a traffic fine and miss the deadline for payment set by the local provincial offences court, section 69 of the *Provincial Offences Act* authorizes the court to order the Ministry to suspend your driver's licence.¹² In turn, section 46 of the *Highway Traffic Act* requires the Ministry's Registrar, once informed of the court's direction, to suspend your licence.
- 33** Ontario is one of six Canadian jurisdictions that suspend drivers' licences for unpaid fines – the others are Quebec, New Brunswick, Saskatchewan, Newfoundland and Labrador, and Yukon.¹³ Five others (British Columbia, Alberta, Manitoba, Nova Scotia, and the Northwest Territories) do not; instead, they rely on other mechanisms to encourage drivers to pay their fines, such as service restrictions that prevent them from renewing their licences or accessing some government services.

Consequences of driving with an invalid licence

- 34** When your driver's licence is suspended or cancelled, you are prohibited from driving. If you do, you can be charged with an offence under the *Highway Traffic Act*.¹⁴ The penalty for driving with a suspended licence can be severe: Extension of the suspension for six months, plus a fine (\$1,000 to \$5,000 for a first offence,

¹⁰ *Highway Traffic Act*, s 32(5) and O Reg 340/94 under the *Highway Traffic Act*.

¹¹ O Reg 340/94 under the *Highway Traffic Act*, s 23.1.

¹² *Provincial Offences Act*, RSO 1990, c P 33, s 69.

¹³ Nunavut cancels licences for unpaid fines.

¹⁴ *Highway Traffic Act*, s 32(16) and s 53.

\$2,000 to \$5,000 for subsequent offences) and up to six months in jail.¹⁵ Driving with a cancelled licence can result in a fine of \$200 to \$1,000.¹⁶

- 35** If you drive with a suspended or cancelled licence and get in an accident, you also risk having your insurance company deny certain types of coverage. This is a risk not only for you as a driver, but for anyone else involved in the accident who could potentially be deprived of damages for catastrophic injuries.¹⁷

Accident in a suspended state – Mike’s story

- 36** Mike, a married father of three from Toronto, was taking his ailing mother to the hospital when he made a time-prohibited right turn. Police issued him a \$110 ticket under the *Highway Traffic Act*, which he forgot about until he received a reminder from the municipal court. At that point, he discussed it with his wife, and decided to contest the ticket in court, rather than pay the set fine. But his mother had recently died of cancer and this plan fell by the wayside.
- 37** Then he was involved in a car accident. He was shocked when police at the scene checked his licence and told him it had been suspended that same day, for his failure to pay the outstanding fine. His notice from the Ministry did not arrive in the mail for another week. Unfortunately for Mike, the other party to the collision sued him for \$1 million.
- 38** Initially, Mike’s insurer denied coverage for the accident and the resulting lawsuit because his licence had been suspended when the accident occurred. Mike was able to obtain an extension of time to challenge the original ticket, which was subsequently dismissed by the court. Ultimately his insurer agreed to defend him against the \$1-million lawsuit.
- 39** Although this was a positive ending for Mike, his experience demonstrates the potentially catastrophic consequences for drivers who are unknowingly suspended for unpaid traffic tickets.

The Road to Suspension

- 40** Several public sector bodies play a part in the process leading to suspension of a driver’s licence for unpaid driving fines, including local police, municipal courts for

¹⁵ *Highway Traffic Act*, s 53(1).

¹⁶ *Highway Traffic Act*, s 32(16).

¹⁷ Insurance companies can deny coverage to suspended drivers in certain circumstances. An innocent third party without their own insurance (e.g., a pedestrian) who is injured by an uninsured driver must make an application to the Motor Vehicle Accident Claims fund and may be entitled to Statutory Accident Benefits and a maximum of \$200,000 in damages.

provincial offences, the Ministry of the Attorney General, and the Ministry of Transportation. Drivers also engage with ServiceOntario, the frontline provider of most identification and official documents to the public, from birth certificates to marriage licences to driver and vehicle licences.

Step 1: That's the ticket

41 Municipal and provincial police officers are responsible for enforcing the rules of the road, including charging drivers with driving-related provincial offences under the *Highway Traffic Act*. That Act outlines numerous offences punishable by a set fine, such as speeding, failing to use a turn signal, or failing to stop at a stop sign.

42 If you, as a driver, are stopped by police and given an **Offence Notice**¹⁸ (commonly known as a ticket) for one of these offences, you must choose one of three options within 15 days:

- Plead guilty and voluntarily pay the fine;
- Plead guilty but make submissions about the penalty; or
- Request a trial.

In some municipalities, you can also request to meet with a prosecutor to discuss early resolution of the charge.

43 The Offence Notice warns you about the importance of exercising one of these options:

Important – If you do not exercise one of the following options within 15 days of receiving this notice, you will be deemed not to dispute the charge and a justice may enter a conviction against you. Upon conviction, additional costs will be added to the total payable. If the fine goes into default, an administrative fee will be added and steps will be taken to enforce your defaulted fine. For example, information may be provided to a consumer reporting agency and **for certain offences, including speeding, your driver's licence may be suspended.** [emphasis added]¹⁹

44 This is the first notification that drivers receive about the potential consequences of not paying a driving-related fine. It is drafted by the Ministry of the Attorney General, which establishes the procedures for prosecuting the provincial offences that can lead to licence suspension for unpaid fines.

¹⁸ Examples of this and other notices referred to in this section are attached at Appendix A.

¹⁹ Offence Notice, Form 3, O Reg 108/11 under the *Provincial Offences Act*, online: <http://ontariocourtforms.on.ca/static/media/uploads/courtforms/poa/POA0848/poa-0848-e.pdf>

Step 2: Order of the court

- 45 It might sound like a misnomer, but “provincial offences courts” are run by municipalities – to handle offences under certain provincial statutes. These courts are responsible for hearing disputed cases under the *Highway Traffic Act*, as well as notifying individuals of and collecting outstanding fines.²⁰
- 46 If you respond to your Offence Notice by pleading guilty and voluntarily paying your fine, the local provincial offences court collects the payment. Some municipalities have contracted with third parties to assist with this process.²¹ If you dispute the charge, your case is scheduled for trial.
- 47 If you do nothing, your charge is added to a “fail to respond” docket. A justice of the peace reviews the charges, enters a conviction against you, and orders you to pay the fine.
- 48 The court then sends you a **Notice of Fine and Due Date** by regular mail.²² This letter, drafted by the Ministry of the Attorney General, provides information about the conviction, the fine you must pay, and the consequences for failing to pay by the due date.
- 49 The front of the notice includes a statement that failure to pay the fine “may” result in various consequences, including suspension of your driver’s licence and the imposition of a licence reinstatement fee. The back of the notice sets out additional legal measures that the government can take if payment is not received by the due date, including licence suspension and the imposition of a licence reinstatement fee, as well as refusal to renew a vehicle licence plate.
- 50 Every night, the court’s case management software creates a list of drivers who have missed the payment deadline and are eligible for suspension. Court staff manually verify each suspension before transmitting information to the Ministry of the Attorney General’s Defaulted Fines Control Centre. This centre then automatically sends the suspension orders from the provincial offence courts to the Ministry of Transportation.

²⁰ Municipalities administer these courts and prosecute cases on behalf of the Ministry of the Attorney General under Memoranda of Understanding.

²¹ For example, paytickets.ca, online: <https://www.paytickets.ca/start>

²² Notice of Fine and Due Date, Form 10, O Reg 108/11 under the *Provincial Offences Act*, online: <http://ontariocourtforms.on.ca/static/media/uploads/courtforms/poa/POA0854/poa-0854-e.pdf>

Step 3: In suspense

- 51** The Ministry of Transportation is responsible for administering driver licensing, including licence suspensions resulting from court orders for unpaid fines.
- 52** If the court has ordered your licence suspended, the Ministry immediately suspends it, then sends you a **Notice of Suspension**²³ by regular mail.
- 53** The notice indicates on the front that your licence is suspended under section 46 of the *Highway Traffic Act* for non-payment of a fine, and includes the effective date. It notes that your licence will remain suspended until you pay the fine, in addition to any other outstanding licensing requirement, and that this might also affect some vehicle transactions, such as renewal of vehicle plates. Near the bottom of the page, it warns:

Stop driving. You must not drive while you are suspended. You must return your driver's licence to this Ministry.

Below that, it states that a \$198 fee must be paid to reinstate your licence. The back of the notice includes another warning to stop driving and information about the consequences of driving while suspended. It explains that if you do not pay your reinstatement fee "and/or the monetary penalty," your licence will be cancelled "without further notice." Near the bottom, it states:

If your licence is "suspended, cancelled and/or expired for more than one year you will be required to complete vision, knowledge and/or road test(s), in addition to any other outstanding requirements, before a licence will be issued.

- 54** By the time you receive this notice in the mail, your licence will have been suspended for at least a few days. This is because the suspension takes effect as soon as the Ministry receives the suspension order from the court, not when the notice is delivered to you.
- 55** As the suspension notice indicates, if your driver's licence is suspended for unpaid fines, you cannot renew your vehicle licence plate validation stickers (if you are the only registered owner of the vehicle).
- 56** This measure was introduced on May 1, 2017, in co-ordination with the Ministry of the Attorney General, ServiceOntario, and municipalities. Ministry of Transportation officials told us that the new process was intended to give municipalities additional tools to encourage drivers to pay defaulted fines.

²³ Copies of this and other notices referred to in this section are attached at Appendix A.

Step 4: Outstanding news

- 57 If you finally pay your fine after your licence has been suspended, the Ministry mails you a **Notice of Outstanding Licensing Requirements**²⁴, listing what additional steps you must take to reinstate your driving privileges. The wording of the notice varies according to your circumstances, but it indicates that once you pay the fine, your licence is no longer “**suspended**.” However, the notice does not explain that your licence remains “**cancelled**” if you have other outstanding requirements.
- 58 If you have paid your fine and reinstatement fee and aren’t required to complete additional tests, you receive a temporary driver’s licence with your letter, with a note saying a replacement will be sent to you.
- 59 If you have not paid your reinstatement fee, or if you have to complete certain tests due to the length of time your licence was invalid (a year or more), your letter outlines these requirements; if you fail to complete them, your licence remains cancelled.
- 60 However, if you paid your fine within 15 days of being suspended, your letter includes a temporary driver’s licence, whether or not you have paid your reinstatement fee. This licence is valid for 60 days from the date of suspension and is cancelled if you don’t pay the reinstatement fee by then.
- 61 The back of the notice, at the bottom of the page, explains the consequences of neglecting the reinstatement fee, as well as any other outstanding requirements:

Attention: A new licence will not be issued until your reinstatement fee/penalty is paid. If a temporary driver’s licence is attached you must pay before it expires or your licence will be cancelled without further notice. Licence invalidity will extend the length of your mandatory period if you are a novice driver. It is illegal to drive without a valid driver’s licence.

In addition to any other licensing requirements, you will have to complete testing if your driver’s licence is suspended, cancelled and/or expired for:

- More than one year – vision test required.
- More than three years – vision, knowledge and road test(s) required. After 10 years mandatory Graduated Licensing System periods will apply.

²⁴ Examples of this and other notices referred to in this section are attached at Appendix A.

Escaped Notice: Delivery Problems

- 62 Many drivers complained to my Office that they never received a notice of suspension and were shocked to learn – years later, in some cases – that they were driving with invalid licences. Several told us that they first learned their driver’s licence was suspended when they were stopped by a police officer for another reason.
- 63 Many of these cases revealed issues stemming from the Ministry’s reliance on the mail to deliver important information to drivers. These include a failure to track undelivered mail, a lack of flexibility in using “residential” addresses versus “mailing” addresses, and a system that declares drivers’ licences suspended before the notices can actually be delivered to them.

Returned mail

- 64 Although it is difficult to verify individual drivers’ claims that they never received a suspension notice, undelivered mail is clearly a serious problem for the Ministry.
- 65 The Ministry does not track notices related to unpaid fines that are returned as undeliverable. It simply shreds them without opening them. Although its computer system has the capacity to include information about suspension notices that are returned undelivered, officials told us that this functionality isn’t used because frontline staff can’t access and act on this information.
- 66 In contrast, at least six other Canadian jurisdictions do add information about returned mail to drivers’ records.²⁵ For instance, Alberta prints a unique barcode on each piece of mail sent to drivers. If that piece of mail is returned, staff can simply scan the barcode to automatically put a “returned mail flag” on the driver’s record. This alerts staff to obtain an updated address the next time the driver interacts with licensing officials.
- 67 Our Office has raised this issue with the Ministry for more than two years. In response to our inquiries, it initiated a “return mail project” for six weeks in the summer of 2016. This project found **4,343** suspension notices (for all types of violations, not just unpaid fines) were returned during this period, indicating that potentially more than **20,000** notices per year were not reaching suspended drivers. The project also looked at what types of mail were returned, and from which types of addresses.

²⁵ They are: Alberta, British Columbia, Northwest Territories, Yukon, Quebec, and Newfoundland and Labrador. Prince Edward Island has no procedure for recording returned mail.

- 68 Once I launched this investigation in May 2017, we asked the Ministry to collect further data on returned mail, to get a sense of how many suspension notices specifically for unpaid fines were being returned. From May 25 to July 28, 2017, the Ministry mailed 23,813 notices of suspension relating to unpaid fines. During that same period, **963** were returned – about 100 per week. This would indicate that about 4% of these notices, or **about 5,000** a year, are returned. However, the Ministry was unable to provide us with the total number of notices of suspension for unpaid fines that were sent out during the same period, making it impossible to determine the percentage of returned notices.
- 69 A director in the Ministry told us that the returned mail project has already helped improve some processes. For instance, he said it found mail delivery problems in some areas in the remote north, and the Ministry consulted with Canada Post to identify the best means of delivery to reach drivers there.
- 70 The consensus amongst the Ministry staff we interviewed is that the main cause of returned mail is drivers who fail to notify the Ministry of their new addresses after they move – even though they are legally required to do so within six days.²⁶ But this onus on drivers to complete change-of-address information does not change the fact that all those undelivered suspension notices represent drivers who may be unaware that they have lost their driving privileges. They will likely continue to drive, committing further offences and risking significant financial liability in the event of an accident.
- 71 Although the Ministry cannot force people to provide up-to-date addresses, it can take steps to improve its mail tracking and reduce the volume of returned mail. It should investigate methods such as the barcode method used by Alberta. A largely automated tracking method would allow the Ministry to better analyze the scope and root cause of returned letters and develop strategies to ensure drivers receive important notices. It would also allow the Ministry to flag drivers whose addresses are out of date.

Recommendation 1

The Ministry of Transportation should investigate methods for improving and automating its system for tracking returned mail and then implement an effective method for tracking returned mail.

Residential and mailing addresses

- 72 When you apply for a driver's licence, you must provide the street address of your residence. You can also provide a separate mailing address. However, the

²⁶ O Reg 340/94 under the *Highway Traffic Act*, s 33(1).

Ministry always sends Notices of Suspension and Notices of Outstanding Licensing Requirements to residential addresses. Ministry officials told us the *Highway Traffic Act* requires that the Notice of Suspension be sent to a driver's "latest current address," which the Ministry has interpreted to be the driver's residential address.²⁷ The Act does not stipulate where the Notice of Outstanding Licensing Requirements is to be mailed.

- 73 The Ministry is aware that this practice can be problematic for drivers who live at addresses that cannot receive mail – such as in some remote rural or northern communities. In such cases, the Ministry can record a residential address (e.g., 123 Main St) and a mailing address (e.g., PO Box 123) in the "residential address" field of its electronic records system, and address a notice to both locations. However, this workaround doesn't help drivers who provide a mailing address for some other reason, such as those who have more than one residence or move seasonally.
- 74 The Ministry's strict interpretation of the *Highway Traffic Act* as requiring it to send certain correspondence only to residential addresses is at odds with some drivers' expectations that correspondence will go to their mailing address. Given the importance of notifying drivers of their licence status, the Ministry should ensure that all Notices of Suspension and Notices of Outstanding Licensing Requirements are sent to a driver's preferred residential or mailing address. Or, if the Ministry continues to interpret the *Highway Traffic Act* as requiring it to send notices to a driver's residential address, it can still ensure drivers receive notification of their licence status by sending a second notice to their mailing address. If necessary, the Ministry and the Government of Ontario should seek legislative change to ensure that it has flexibility to contact drivers via the address of their preference.

Recommendation 2

The Ministry of Transportation should take all necessary steps to ensure that all Notices of Suspension and Notices of Outstanding Licensing Requirements are sent to drivers' address of preference – i.e., residential or mailing address – including seeking any required amendments to the *Highway Traffic Act*.

Surprise suspension: The notice is in the mail

- 75 Even when it works as intended, the Ministry's system of mailing notices of suspension for unpaid fines is fundamentally flawed, because the notice is mailed the same day the suspension takes effect. Although drivers should have

²⁷ *Highway Traffic Act*, s 52(1).

previously received an offence notice and Notice of Fine and Due Date warning of a possible suspension, the notice that tells them this has actually occurred is not sent to drivers in advance. There is a built-in time gap between the date of suspension and the delivery of the notice, when the driver has little way of knowing that they should not be driving. The speed of mail service varies throughout the province, and can take several days for notices to reach their destination.

- 76 This system has been in effect since October 1997. Prior to that, if you had an unpaid fine, the Ministry would send you a warning that your suspension was “pending” and would take effect in 21 days if your fine remained unpaid. If you paid in time, the suspension was dropped; if you failed to do so, your licence was suspended after 21 days, without further notice.
- 77 Our investigators reviewed a Ministry briefing note from 1998 that said these notices of pending suspension prompted **30% to 50%** of recipients to pay their defaulted fines and avoid suspension before the deadline. Although not an exact comparison, only around **8%** of drivers suspended for unpaid fines in 2016 paid their fines within 15 days of the suspension. This suggests that imposing a licence suspension does not motivate drivers to pay fines as effectively as giving them a last chance to do so within a limited period. Put another way, a deadline drivers know about appears more likely to ensure compliance than a penalty they don’t know about.
- 78 Ministry officials we interviewed were unable to explain why the grace period was removed, given that it was two decades ago. However, the briefing note from 1998 states:
- The 21-day grace period was removed, as part of the implementation of the reinstatement fee program, to streamline the ministry’s business processes, to improve the collection of defaulted fines and to make drivers more accountable for timely payment.
- 79 Another portion of the briefing note observes that “[i]t is expected this policy change will improve the rate of drivers who will pay their fines before the due date and decrease the default rate.” But a different rationale was suggested in a Ministry document we reviewed from 2014-2015 (a business case on the use of registered mail), which indicated that the 1997 change was intended to reduce the volume of suspension cancellations that the Ministry had to process.

Correspondence reports – Raymond, Kevin and Robert’s stories

- 80** Among the many drivers we spoke to who were confounded by the Ministry’s mail-related practices was Raymond, a married father living in Scarborough, who was pulled over by police in March 2009. The officer informed Raymond that his licence had been suspended since 2005, when he had failed to pay a fine he received for not wearing a seat belt. Although the Ministry provided us with a copy of the notice, Raymond told us he never received it, even though the address on his licence was correct and he had been living in the same place for years.
- 81** Kevin received a letter on August 14, 2017, indicating that his commercial driver’s licence had been suspended for unpaid fines on August 9, 2017. He told the Ministry he was completely unaware he had been driving illegally for those five days, and asked why he couldn’t have been notified before the suspension. The Ministry’s response was that “every effort is made to ensure drivers are informed of their suspension,” and that the Notice of Fine and Due Date sent out by the provincial offence court informs drivers of “the possibility of a licence suspension.” This notice was clearly insufficient for Kevin, who relies on his licence for his livelihood and had no idea it was in jeopardy due to an unpaid ticket.
- 82** Robert, a bus driver, told us he learned of his licence suspension from his employer, before it arrived in the mail. He said he had intentionally not paid a traffic fine because he planned to contest the ticket in court and had been told the court would contact him when he needed to take further action. He had no idea his licence – and by definition, his employment – was at risk.

Return to grace?

- 83** In reviewing reasons for and against reintroducing a suspension grace period, the 2014-2015 business case also warned that it could reduce the Ministry’s revenues from reinstatement fees:

Providing lead time to drivers suspended for defaulted payment of traffic fines will result in a large number of suspension cancellations as drivers hastily pay fines before their licence suspension takes effect. This could reduce cost recovery revenue from the regulated [...] reinstatement fee by approximately \$11M annually.

- 84** In April 2017, the Ministry prepared an “options paper” in response to the *Toronto Star’s* articles about suspensions for unpaid fines, which included an assessment of the pros and cons of re-implementing a pre-suspension notification period, as follows:

Pros:

- Allows [the Ministry of Transportation] to provide a grace period between [the Ministry of the Attorney General's] order and actual suspension.
- Provides a firm date for suspension in advance.
- May further create a sense of urgency for driver to pay fine.
- Provides the driver with another advanced warning of a pending suspension.

Cons:

- [Information technology] change costs and potential mailing costs.
- Does not eliminate the ability of drivers to avoid accepting the notice or indicating “they did not receive the notice.”
- Will require legislative, policy and business process changes.
- Increase cost and loss of revenue for cancelled suspensions.
- Will require [Ministry of the Attorney General] and municipalities’ agreement.

- 85** This briefing document suggests that one of the primary considerations in not reinstating a grace period is financial. While reinstatement fees operate on a cost-recovery basis, it appears the Ministry is concerned about losing this revenue and the expense of implementing the necessary technological changes. Although a grace period could encourage earlier payment of fines, this would not necessarily benefit the Ministry financially, as provincial offence fines are retained by municipalities.²⁸
- 86** The note also lists one of the “cons” as a need for legislative change, although the wording of the *Highway Traffic Act* did not change when the Ministry abandoned the grace period in 1997.²⁹ The Act has always provided that the Ministry “shall” suspend a licence when it is informed of a court-ordered suspension.
- 87** Despite the clear advantages to drivers of reinstating lead time, most government officials we spoke with were opposed to the idea. A manager at the Ministry argued that drivers were already provided two “pre-suspension notices” – the original traffic ticket and the Notice of Fine and Due Date from the court. Another

²⁸ Municipalities retain fine revenue, excepting the Victim Fine Surcharge. When a driver pays a defaulted fine through ServiceOntario, the provincial government retains a portion of the fine.

²⁹ *Highway Traffic Act*, s 46(3) provides that the Registrar, “on being informed” of an order to suspend, shall suspend a driver’s licence. This section has remained unchanged since 1993.

manager expressed the same view, asking: “Does that not sound like a little overkill?”

- 88 However, lead time is not a novel concept for the Ministry. In response to our inquiries, it identified 14 different situations in which drivers are given lead time before their licences are suspended – for example, in cases of suspensions for medical reasons. Although these suspensions are somewhat different because drivers have typically not received prior notification from any source, they nonetheless show the Ministry’s capability to provide drivers with warning that their licence will be suspended prior to the suspension taking effect.
- 89 Only one other province, New Brunswick, suspends drivers’ licences without providing any grace period.³⁰ Saskatchewan, Quebec, Yukon Territory and Newfoundland and Labrador suspend drivers’ licences for unpaid fines, but only after specifically notifying them of their upcoming suspensions and giving them a grace period to pay their fines.³¹
- 90 Given the serious consequences that flow from suspending a driver’s licence for unpaid fines, fairness requires that the Ministry of Transportation provide drivers with specific, advance notice of impending suspensions, as well as information about the steps they must take to avoid them. The Ministry should ensure that the pre-suspension grace period is sufficient to allow time for the notice to arrive in the mail and for the driver to avert the suspension, if desired.
- 91 Some Ministry officials we interviewed suggested that legislative change would be required to reinstate a grace period for licence suspension, even though the wording of the legislation has not changed since the days when a grace period was in place. Still, if the Ministry is of the view that legislative amendment is necessary to make this change, it should take the necessary steps.

Recommendation 3

The Ministry of Transportation should take all necessary steps to provide drivers with specific advance notice of their impending suspensions, as well as information about the steps drivers must take to avoid suspension. The Ministry should ensure that the pre-suspension grace period is sufficient to allow time for the notice to arrive in the mail and for the driver to take steps to avert the suspension, if desired. The Ministry

³⁰ In New Brunswick notices of suspension, however, are sent by registered and not ordinary mail.

³¹ In addition, Nunavut may cancel a driver’s licence for unpaid fines “where the time allowed for payment of the fine has passed and the fine is outstanding.” *Motor Vehicles Act*, RSNWT 1988, c M-16, s. 102(1).

should seek any required amendments to the *Highway Traffic Act* to allow for a pre-suspension grace period.

Helping drivers help themselves

- 92** Drivers are legally required to update their residential address within six days of moving.³² They can change their addresses online or in person at a ServiceOntario Centre.³³ Still, many forget or neglect to do so – as many of the drivers we interviewed acknowledged.
- 93** The Ministry has taken some initiatives to remind drivers to update their address information, including some web-based advertisements. However, given the importance of accurate addresses, it should investigate additional ways to remind drivers to provide updates, and emphasize the potential consequences for not doing so, including through posters, public awareness commercials, highway signage, and other outreach methods. For instance, the Ministry could consider partnering with truck rental companies and other moving-related businesses to increase public awareness of the importance of changing the address on your driver's licence within six days of moving to a new home.

Recommendation 4

The Ministry of Transportation should investigate and implement ways to remind drivers to update the address on their driver's licences and emphasize the importance of doing so.

- 94** The Ministry should also explore modernizing the methods it uses to notify drivers. Not only are email, text messages and other electronic forms of communication used by most drivers, personal electronic contact information typically doesn't change when someone moves to a new address within the province. The Ministry should explore the feasibility of these communication methods as additional or alternative ways to contact drivers. It should also explore other mechanisms, such as an online portal that drivers could use to get real-time updates on the status of their licence.
- 95** In conducting this review, the Ministry should consult with the Ontario Digital Service, which was created in 2017 to support the government's efforts to become a leading digital organization. The Ontario Digital Service works with

³² O Reg 340/94 under the *Highway Traffic Act*, s 33(1).

³³ "Change an address on your driver's licence, vehicle permit and health card," ServiceOntario, online: <https://www.ontario.ca/page/change-address-drivers-licence-vehicle-permit-and-health-card>

ministries and other key partners to redesign government services around the needs of the end user.³⁴

- 96 Digital communication is not a novel idea for the Ministry, which already allows drivers to sign up for email reminders to renew their vehicle plate validation stickers.³⁵ As well, ServiceOntario already allows drivers to perform transactions online, such as renewing licences, updating addresses, and paying driving fines and reinstatement fees.

Recommendation 5

The Ministry of Transportation should explore and, if feasible, implement additional or alternative methods of notifying drivers about important information regarding their licence status, such as email and text message.

Recommendation 6

In conducting this review, the Ministry should explore digital solutions, such as a unified online portal for personal driving information, that would allow drivers to access real-time updates on their licence status.

Recommendation 7

The Ministry should consult with the Ontario Digital Service regarding digital solutions, such as electronic communication and online portals, to inform drivers of important information about their licence status.

- 97 Some drivers we interviewed suggested that the Ministry send out additional and/or periodic notices about suspended or cancelled licences, while others proposed they be sent by registered mail, with the recipient's signature required upon delivery. However, our investigation found no evidence that either of these practices would be more effective. Sending additional notices or registered mail won't help if the addresses are out of date or otherwise wrong. The Ministry does use registered mail to notify drivers of suspensions related to criminal convictions, as it is required to do by law, but this is more expensive than regular mail, and a significant percentage of these notices are still returned to the Ministry as undeliverable.

Proactive versus reactive approach

- 98 Several of the Ministry officials we interviewed expressed the view that drivers are responsible for ensuring that their licences are valid. Some even suggested

³⁴ "Launch of the Ontario Digital Service", Government of Ontario (29 May 2017), online: <https://www.ontario.ca/page/news-secretary#2017-May-29>

³⁵ Renew a licence plate sticker, online: <<https://www.ontario.ca/page/renew-licence-plate-sticker>>.

that drivers could visit ServiceOntario periodically to check their status. It is unclear why any driver would think to do this. The Ministry has little to no proactive measures to educate drivers that their licence will be suspended for unpaid fines, much less to advise them that they should check their licence status just in case a suspension notice has failed to reach them.

99 A senior policy advisor told us he wasn't aware of any proactive initiatives to raise drivers' awareness of the consequences of unpaid fines. He said the Ministry's approach is "more reactive – that once you're suspended, that's where we communicate with you." The Deputy Registrar also wasn't aware of any educational materials published by the Ministry about suspensions for unpaid fines. In fact, no one was able to point us to any Ministry notices at municipal court houses or ServiceOntario locations, informing drivers of the consequences of not paying their driving fines.

100 As Mike put it in his interview with our investigators: "There's no way that I would think that something like non-payment should result in the suspension of my licence without my knowing it."

101 A court manager we interviewed sympathized with this view:

A lot of the people who come through these courts are like you and I. They are just everyday folks. They happen to get a ticket one day. Maybe they stuck it on their fridge and didn't think much of it. They think it's like a parking ticket. And then something serious happens to their licence. I'm not suggesting that they don't have responsibility for that ticket. **They absolutely have responsibility for that ticket. It's a charge by an officer...but I am sympathetic to people that may not be aware of the consequences.**

102 In September 2017, the Ministry told us it would revise its "CentreLine" publication – which is mailed with every vehicle licence and driver's licence renewal application (some 4.5-6 million households per year) – to include information about the consequences of unpaid driving fines.

103 This change was implemented in April 2018, and the new CentreLine publication (pictured) includes the heading "Unpaid Driver Fines," with the warning:

If you have unpaid fines, your driver's licence will be suspended. You will be unable to renew your plates. Once all outstanding fines are paid, your driver's licence may be reinstated and you may renew your plates. For more information or to pay your fines, visit: ServiceOntario.ca/payfines.

CentreLine

ServiceOntario contact centre:
1-800-387-3445 or (416) 235-2999 in GTA
Website:
www.ontario.ca/transportation
TTY users only:
1-866-471-8929 or (905) 704-2426 in Niagara

KEEPING ONTARIO'S ROADS SAFE



Caught Driving Impaired? It will cost you

Drivers impaired by drugs face the same sanctions as drivers impaired by alcohol.

At roadside – 3 to 30 day licence suspension and \$198 monetary penalty.

After a drug expert's evaluation – 90 day licence suspension, vehicle impounded for 7 days and \$198 monetary penalty.



Don't drive distracted

If we don't stop, distracted driving will continue to be one of the leading killers on Ontario's roads. Distracted driving will cost you \$490 fine plus 3 demerit points, upon conviction.



Be Alert, Be Seen

Motorists – Yield to pedestrians at intersections, crosswalks, school crossings and pedestrian crossovers.

Pedestrians – Cross at traffic lights, marked intersections or crosswalks.



Cycling Safety – Drivers need to keep a one-metre distance when passing cyclists. \$110 fine and 2 demerit points, upon conviction.



Slow Down Move Over – Drivers must slow down and move over when approaching police, fire, ambulance or tow trucks with amber lights flashing at roadside. \$490 fine and 3 demerit points upon conviction.



Enhanced Driver Licence

Convenient and secure alternative to a Canadian passport for those who frequently drive to the U.S.* To get started, visit www.ServiceOntario.ca

*Important: Not for air travel to the U.S.

Drive Clean Program

Light duty vehicles seven years and older require a Drive Clean emissions test every two years. Check your renewal notice to see if you are due for a test.

Initial Drive Clean tests for light duty vehicles are now free and tests are no longer required when selling/transferring a light-duty vehicle. Check the vehicle's emissions testing history before buying. Vehicles with a conditional pass test result must be fully repaired by the next testing cycle.

For more information, visit www.driveclean.com or call 1-888-758-2999, TTY: 1-855-515-2759.



Unpaid Driver Fines

If you have unpaid driver fines, your driver's licence will be suspended. You will be unable to renew your plates. Once all outstanding fines are paid, your driver's licence may be reinstated and you may renew your plates. For more information or to pay your fines, visit ServiceOntario.ca/payfines

Kids on Board? It's a smoke-free zone

Up to \$125 fine for smoking in motor vehicles with passengers under 16 – it is illegal.

For more information, visit www.ontario.ca/smokefree or call 1-866-532-3161, TTY: 1-800-387-5559.



High Occupancy Vehicle (HOV) lanes

on highways are for vehicles carrying at least two people as well as buses, green-plated vehicles and emergency vehicles (police, fire, ambulance). \$110 fine and 3 demerit points for improper lane use.

For more information, visit www.ontario.ca/transportation



Personal information is collected by the Ministry of Transportation of Ontario (MTO) under the authority of section 205 of the Highway Traffic Act. Only Authorized Requesters who have entered into a contractual agreement with MTO may obtain residential address information for uses such as law enforcement, service of legal documents, automobile insurance purposes, financial institution information verification, debt collection and road toll collection. For more details, visit the MTO website at www.mto.gov.on.ca/english/about/collection.shtml, any ServiceOntario centre (Public Notice posted), or call the ServiceOntario contact centre at (416) 235-2999 or 1-800-387-3445.

Figure 1: CentreLine insert - arrow denotes warning about unpaid fines.

- 104 Although this is a positive step, suspending a driver's licence is a serious consequence that all drivers need to know about, and one method of communication is clearly not sufficient. The Ministry of Transportation has primary responsibility for administering driver's licensing in the province. It should work with its partner agencies, including the police, Ministry of the Attorney General, courts, municipalities, and ServiceOntario, to inform drivers proactively that their licences will be suspended for defaulted driving fines. Among the many ways it could communicate this message to drivers are informational posters, highway signage, social media, and mass media advertising. This kind of public outreach could also result in more timely and efficient fine collection and provide proactive notice to drivers that their licences will be suspended if they fail to pay fines.

Recommendation 8

The Ministry of Transportation should work with its partner agencies, including the police, Ministry of the Attorney General, courts, municipalities, and ServiceOntario, to inform drivers proactively that their licences will be suspended if they fail to pay driving fines.

- 105 The Ministry should also review the content of its website to ensure that it provides clear information about the unpaid fine suspension process, including timelines for payment, consequences for failure to pay, consequences of driving while suspended, and requirements for reinstatement. It should work with its partner agencies to ensure that similar information is also available on their websites.

Recommendation 9

The Ministry of Transportation should review its website content to ensure that it provides clear information about the unpaid fine suspension process, including timelines for payment, consequences for failure to pay, consequences of driving while suspended, and requirements for reinstatement.

Recommendation 10

The Ministry of Transportation should work with its partner agencies to ensure that each organization's website provides clear information about the unpaid fine suspension process.

- 106 In addition, the Ministry could provide a way for drivers to check their own licence status that doesn't involve visiting a ServiceOntario location, through a service that it already operates. The online "Driver's Licence Check" tool is available on

its website, at a cost of \$2 per licence number, which indicates whether or not a driver's licence is valid.³⁶ At present, this is primarily used by rental car companies to ensure that renters have valid licences, but we were told that the Ministry is seeking to make it a free service for the public.

- 107 I strongly support this initiative and recommend that the Ministry make the online status checker available to the public without charge. It should also promote the tool as part of its efforts to educate drivers about their obligation to pay fines and ensure their licences are valid. This initiative could raise drivers' awareness of their obligations and avert more surprise licence suspensions.

Recommendation 11

The Ministry of Transportation should allow the public to check the status of driver's licences online without charge.

Recommendation 12

The Ministry of Transportation should provide public education about the online status checker tool so that drivers are aware of the website's existence and their obligation to monitor their licence status.

Lost in Translation: Communication Issues

- 108 Many drivers told us that even when they received the Ministry's Notice of Suspension and Notice of Outstanding Licensing Requirements, the information in them and the way it is presented left them confused about the status of their licences and what, if anything, they had to do to reinstate them. Several said they would have done something to avoid suspension if they had received clearer notices.

Notice of Suspension

- 109 If your licence is suspended, you receive a Notice of Suspension by regular mail from the Ministry – a double-sided document set out in ALL CAPS, with English on the left side and French on the right. The notice is crammed with information. The first paragraph refers to your licence suspension for non-payment, and the specific effect of suspension on enhanced drivers' licences and some vehicle transactions. The next paragraph refers again to your suspension and that it might affect completion of some vehicle transactions. The third paragraph contains information about how to pay fines at ServiceOntario or provincial court offices.

³⁶ Driver's Licence Check, Ministry of Transportation, online:
<https://www.dlc.rus.mto.gov.on.ca/dlc/OrderForm.aspx>

- 110** It isn't until the fourth paragraph, near the bottom of the first page, that you are actually warned to "STOP DRIVING." After that, there is information about the reinstatement fee and where to pay it.
- 111** The back of the notice includes:
- Another caution to stop driving;
 - Reference to the consequences of driving while suspended;
 - Information about how to return your invalid driver's licence;
 - A reminder to read the front of the notice carefully and/or contact the Ministry for more information;
 - A warning that if the reinstatement fee and/or monetary penalty are not paid, your licence will be cancelled without further notice;
 - Details about how to pay fees and fines;
 - Reference to additional requirements that might apply if you don't reinstate your licence for more than a year.
- 112** The back of the notice also includes several paragraphs relevant only to drivers who have been suspended for *Criminal Code* offences, such as impaired driving.
- 113** The Ministry has long acknowledged that the format and content of the Notice of Suspension are not ideal. A Ministry "proposal outline document" from February 2014 identified some accessibility issues with it, such as the lack of plain language and the poor typography. No changes resulted from this, although we were told there is an ongoing initiative to ensure notices are consistent with the *Accessibility for Ontarians with Disabilities Act* and other government standards by 2020.
- 114** In July and August 2015, after Ombudsman staff raised concerns about the format and wording of the notice, the Ministry worked on a four-week pilot project with the Behavioural Insights Unit at the Treasury Board Secretariat to study the impact of alternative versions on driver behaviour. Five different versions of the notice were tested, to see if certain changes would improve the payment rate of fines and licence reinstatement fees, but the project found that changing the wording had no significant effect, and the Ministry opted to leave it as is.
- 115** Still, concerns about the notice persisted, as we discovered in a January 2017 email from a manager at the Ministry to other senior staff. The email raised several questions about the notice – including these comments:

[The use of ALL CAPS] sounds like we are shouting...is there a reason everything is in CAPS?

How many people have [enhanced drivers' licences]? I would assume most do not. If so, why are we putting that so front and centre on the letter?

Would it be better to have the "stop driving" as the first thing you read in the letter?

- 116** We were told that the manager's observations were made during the Ministry's work on a project related to restricting drivers with suspended licences from renewing vehicle plates, and they did not result in changes to the Notice of Suspension because this was outside the timeline and scope of the project.

Lack of directions - Darcy's story

- 117** Darcy, a mother from Carleton Place who drove hours each day to work and her children's school and daycare, paid her speeding ticket fine in September 2012, after her licence had been suspended the previous month. However, she failed to pay the licence reinstatement fee. Although Darcy's suspension technically ended when she paid the fine, her licence remained cancelled for more than three years because she hadn't paid to reinstate it.

- 118** Darcy told us she did not receive any notices from the Ministry about the suspension or reinstatement fee. In 2016, when she discovered her licence wasn't valid and complained to her Member of Provincial Parliament, she was told "the onus is on the driver to ensure his/her licence is valid." In frustration, Darcy responded:

I have held a valid (or thought valid) licence for almost 30 years and I have never taken it upon myself to contact the Ministry to ensure my licence was valid. Is this a common practice? Are people expected to call the Ministry or present themselves at ServiceOntario routinely to ensure their licence is valid? I certainly couldn't find ANY direction on this anywhere I searched.

- 119** For Darcy, the consequences of unknowingly having a cancelled licence were severe. She told us she had to complete three graduated licensing tests, at a cost of \$236 in testing fees, plus three days off work.

- 120** Many Ministry officials we spoke to acknowledged that the notices are difficult to understand. A senior Ministry employee said the Notice of Suspension "absolutely" needed to be clearer. Another said notices should avoid jargon and phrasing that only makes sense to Ministry employees. A senior business advisor commented that the Ministry should remember that notices are sent to "the average person who drives a car," most of whom are not lawyers.

- 121 Providing suspended drivers with clearer information about the status of their licences and what they must do to regain them has broad potential benefits: It would promote road safety by ensuring they know they must stop driving, and could improve the collection of unpaid fines by better outlining the consequences.
- 122 The lacklustre results of the Ministry's 2015 pilot project to test different versions of the notice demonstrated the challenges in improving its effectiveness. But the difficulty of the task is no excuse for inaction. The Ministry should conduct a review of the Notice of Suspension to ensure that it uses plain language to convey information in a clear and understandable way. The Ministry should draw on internal and external experts in driver behaviour and accessibility when redesigning the notices. The need to stop driving and the steps necessary to reinstate the licence should be front and centre.
- 123 In addition, the Ministry should investigate the feasibility of tailoring notices to individual circumstances. For instance, it could send different notices depending on the nature of the suspension and the driver's circumstances, eliminating information about *Criminal Code* suspensions or the enhanced driver's licences when it is not relevant. The notice should also proactively inform drivers about electronic resources that can help them understand and remedy their licence status – such as the Ministry's online licence status checker tool.

Recommendation 13

The Ministry of Transportation should conduct a review of the Notice of Suspension and revise it using plain language to convey information in a clear and understandable way.

Recommendation 14

The Ministry of Transportation should draw on internal and external experts in driver behaviour and accessibility when redesigning the Notice of Suspension.

Recommendation 15

To maintain road safety for all drivers, the Ministry of Transportation should ensure that the revised Notice of Suspension emphasizes that drivers must stop driving, as well as the steps necessary to reinstate their driving privilege.

Recommendation 16

The Ministry of Transportation should investigate the feasibility of tailoring the Notice of Suspension to the individual circumstances of the recipient, and only include information that is relevant.

Recommendation 17

The Ministry of Transportation should ensure that the Notice of Suspension proactively informs drivers about electronic resources that are available to help them understand and remedy their licence status.

Notice of Outstanding Licensing Requirements

124 Many of the problems with the Notice of Suspension, including the density, confusing language, and poor formatting, also plague the Notice of Outstanding Licensing Requirements. After you pay your defaulted driving fine, you receive this notice to inform you of any additional steps you must take to regain a valid licence. The notice, which is also in ALL CAPS with English on one side and French on the other, comes in different versions, based on the driver's particular circumstances.

What outstanding requirement?

125 If you have paid your licence reinstatement fee and do not need to complete additional tests, you will receive a temporary driver's licence and notification that your permanent licence will be mailed in due course. In this scenario, although there are no outstanding requirements, you still receive the "Notice of Outstanding Licensing Requirements."

126 When asked about this clearly confusing notice, a Branch Issues Advisor told us, frankly:

I don't know why an individual that has been reinstated is getting a document saying "Notice of Outstanding Licensing Requirements." It causes them to call. They don't read [past the title]...

127 As noted in our Office's 2013-2014 Annual Report, Ombudsman staff first raised concerns about the confusing nature of this notice when it was called "Notice of Reinstatement." At that time, it was sent to all drivers seeking reinstatement, including those who had completed all the requirements, and those who still had to pay fees or take tests, and were therefore not yet reinstated. For the latter group of drivers, the title was misleading, and in response, the Ministry changed it to "Notice of Outstanding Licensing Requirements." However, it continued to send the same notice to both sets of drivers, essentially replacing one group's confusion with another's.

128 Drivers deserve clear information about the status of their licences and should not have to call the Ministry or ServiceOntario after receiving ambiguous notices. The Ministry should create a new or renamed notice (e.g., Notice of

Reinstatement) for drivers who have been reinstated and do not have any outstanding licensing requirements. The need for such a notice is likely to grow, given that drivers can now (as of May 2017) pay defaulted fines and reinstatement fees in one transaction via ServiceOntario, online or in person.³⁷

Recommendation 18

The Ministry of Transportation should create a new or renamed notice (e.g. Notice of Reinstatement) to send to drivers who have been reinstated and do not have any outstanding licensing requirements. Like the existing notice, it should inform drivers that their privilege to drive has been reinstated and include a temporary driver's licence.

Paying the price

- 129** If you have to complete additional steps to obtain a valid licence, the version of the Notice of Outstanding Licensing Requirements that you receive lists what you have to do – e.g., pay your reinstatement fee, or retake certain driving tests. Nevertheless, many suspended drivers we spoke to had no idea that they were required to pay a reinstatement fee to regain their licences.
- 130** In 2016, some 90,000 drivers paid the fines that led to their suspensions. However, about **40,000** of them – nearly half – had their licences cancelled because they failed to pay the required reinstatement fee, even though most of them presumably received the Notice of Outstanding Licensing Requirements from the Ministry. From June 2017 to June 2018, the number of drivers paying their reinstatement fee substantially improved, but roughly 14,000 drivers still had their licences cancelled because they failed to pay a reinstatement fee. The Ministry attributed this improvement to the introduction of the May 2017 system that allows drivers to pay most fines and reinstatement fees at ServiceOntario. However, it is quite possible that many of the 14,000 drivers who didn't pay their reinstatement fees still have no idea that their licences are invalid.
- 131** Notices sent by the Ministry should be straightforward and to the point, with important and relevant information in a prominent location. You should not have to read fine print or flip to the back of the notice to understand the status of your licence and the steps you must take to continue driving. As with the Notice of Suspension, the Notice of Outstanding Licensing Requirements should be in plain language and provide clear information that is relevant to the driver's particular situation. The Ministry should conduct a review of this notice to ensure that it is clear, drawing on internal and external experts in driver behaviour and accessibility.

³⁷ Drivers can only pay fines dating back to May 1, 2010. Any fines older than this must be paid at a provincial courthouse.

Recommendation 19

The Ministry of Transportation should conduct a review of the Notice of Outstanding Licensing Requirements and revise it using plain language to convey information in a clear and understandable way.

Recommendation 20

In conducting its review and in any redesign of the Notice of Outstanding Licensing Requirements, the Ministry of Transportation should draw on internal and external experts in driver behaviour and accessibility.

Temporary licence

- 132** If you pay your defaulted fine within 15 days of your licence suspension, your Notice of Outstanding Licensing Requirements arrives with a temporary driver's licence attached – even if you have not paid your licence reinstatement fee. This situation can be particularly confusing. Your temporary licence is valid for 60 days from the suspension date. If you still do not pay your reinstatement fee within this period, your licence is cancelled, with no further notice. But unless you are vigilant in reading the notice and the small print on the temporary licence, you might not realize that you still owe the fee and your permanent licence is at risk.
- 133** A Ministry official told us that drivers receive the temporary licence because they haven't been provided sufficient notice that they must also pay a reinstatement fee. Although this is a longstanding Ministry practice, there are no legislative or regulatory provisions that support it. To minimize the potential for confusion, notices that are sent with a 60-day temporary licence should include a prominent warning to drivers that their licence will be cancelled in 60 days if they don't pay the reinstatement fee.

Recommendation 21

The Ministry of Transportation should ensure that when temporary licences are sent to drivers who have not yet paid their reinstatement fees, there is a clear and prominent warning that their licences will no longer be valid if they do not take additional steps within 60 days.

Graduated licensing

- 134** The information that the notice contains about graduated licensing requirements can also be confusing for many drivers. It says that if your licence has been suspended or cancelled for more than three years, you must redo your road test, vision test and driving knowledge test. It also indicates that after 10 years, the

mandatory Graduated Licensing System periods will apply. These requirements are set out in Regulation 340/94, which governs the granting of driver's licences.³⁸

- 135 Designed to ensure novice drivers practice and are tested on their skills over time, the graduated licensing process normally takes about two years. There are three levels – G1, G2, and G, which is a regular licence. If you are a new driver, you must wait 12 months after obtaining your G1 licence before you can take the G1 road test (this can be reduced to eight months if you complete a government-approved driver education course). Once you pass that test, you obtain a G2 licence, but must wait another 12 months before taking the G2 road test, to obtain a full G licence.³⁹
- 136 However, if you previously had a valid licence but it has been invalid for three to 10 years (in other words, you are not a new driver), you do not have to observe the waiting periods between tests. Several of the drivers we interviewed were not aware of this.
- 137 The Ministry's notice should explicitly inform drivers about whether or not the mandatory waiting periods for graduated licensing tests apply to them. The notice should also clearly state the date when the driver last held a valid licence, as well as when certain tests are required (e.g., after three years).

Recommendation 22

The Ministry of Transportation should ensure that when it sends out Notices of Outstanding Licensing Requirements or similar notices, those drivers required to re-take driving tests are informed about whether there is a mandated waiting period between each test.

Recommendation 23

The Ministry of Transportation should ensure that the Notice of Outstanding Licensing Requirements informs drivers of the date when their licences were last valid, to allow them to calculate which retesting requirements, if any, apply to their circumstances

- 138 It came as a shock to some of the drivers we interviewed – including those who had never stopped driving, since they were unaware of their invalid licences – to be required to retake basic driving tests. But when they asked the Ministry for an exception, they were told there was no discretion to waive the requirement because it was mandated by regulation.

³⁸ O Reg 340/94, under the *Highway Traffic Act*.

³⁹ *Ibid* at s 29(6).

- 139** Ministry officials told us that this regulatory requirement has been in place since the Graduated Licensing System was introduced in 1994. It is intended to ensure drivers continue to have the necessary knowledge and competencies to drive safely; someone who hasn't had a valid licence in three or more years could have diminished driving skills. The retesting requirements are consistent with other provinces' practices, which require retesting after two to five years of invalidity.⁴⁰ However, as the stories of several of the drivers who complained to us demonstrate, there can be extenuating circumstances behind a long-invalid licence; not all drivers in this situation are safety risks.
- 140** While ensuring road safety is paramount, the Ministry should take steps to amend Regulation 340/94 to give its staff discretion to waive the graduated licensing requirements in extenuating circumstances. In exercising this discretion, the Ministry should create a fair process that takes into account whether the licence was invalid for administrative reasons (such as an unpaid reinstatement fee), and whether the person has continued driving with no risk to public safety.

Recommendation 24

The Ministry of Transportation should seek to amend Regulation 340/94 to provide staff with discretion to waive the graduated licensing requirements in extenuating circumstances.

Recommendation 25

The Ministry of Transportation should create a fair process regarding staff discretion to waive the graduated licensing requirements in extenuating circumstances. The process should take into account whether the licence in question was invalid for administrative reasons, such as an unpaid reinstatement fee, and whether the person has continued driving with no risk to public safety in the intervening period.

“May” versus “will”

- 141** Many Ministry officials we spoke to in the course of this investigation told us that they had little sympathy for drivers who failed to heed repeated warnings that their licences were going to be suspended. But in fact, neither the Offence Notice (ticket) from the police, nor the Notice of Fine and Due Date from the court state that your licence *will* be suspended if you don't pay the fine.

⁴⁰ Like Ontario, Alberta, British Columbia, Quebec, Nova Scotia, and Prince Edward Island require retesting of drivers whose licences have been invalid for three or more years. New Brunswick and Yukon require retesting after two years, while Saskatchewan requires retesting after four years. Two provinces, Manitoba and Newfoundland and Labrador, require retesting after five years.

- 142 The Offence Notice, in small print on the back, merely says:
- “[i]f the fine goes into default...your driver’s licence **may** be suspended.”
[emphasis added]
- 143 The Notice of Fine and Due Date also says a failure to pay “**may**” result in suspension and the imposition of a licence reinstatement fee. The next notice you receive informs you that your licence has been suspended. At no point in this process are you told you **will** be suspended for not paying your fine.
- 144 Our investigators were told “may” is used because the same notices are used for all provincial offence fines, and there are some circumstances where a failure to pay would not result in a licence suspension.⁴¹
- 145 Other provinces have developed tailored notices that clearly warn drivers that their licences will be suspended for unpaid fines. New Brunswick, for instance, warns that if fines aren’t paid in 90 days, “[t]he Registrar will revoke your licence and suspend your driving privileges until the fine is paid in full.” Saskatchewan also tells drivers that their licences “will be suspended” for failure to pay.
- 146 Unfortunately, Ontario’s one-size-fits-all approach comes at the expense of clarity for the majority of drivers. Most provincial offences convictions are for offences under the *Highway Traffic Act* that **will** result in a licence suspension for failure to pay. The Ministry of Transportation should work with the Ministry of the Attorney General to explore the feasibility of drafting an Offence Notice and a Notice of Fine and Due Date for those offences that inform drivers that defaulted fines **will** result in licence suspension.

Recommendation 26

The Ministry of Transportation should work with the Ministry of the Attorney General to explore the feasibility of drafting a specific Offence Notice and Notice of Fine and Due Date that inform drivers that defaulted fines for the specified offence will result in licence suspension.

Searching for Answers: Customer Service

- 147 Some of the confusion about the rules relating to licence suspension and reinstatement arises from the fact that multiple parties are involved and the system is inherently difficult to navigate.

⁴¹ E.g., cases involving unlicensed drivers or drivers who pay a fine after it is defaulted but before the suspension is imposed. The *Provincial Offences Act* only says that a licence “may” be suspended for a defaulted fine.

- 148** Drivers seeking information about the status of their licences or the process often have to consult multiple sources, including municipal provincial offences courts, the Ministry of Transportation’s Driver Control section, ServiceOntario locations, and ServiceOntario’s Driver and Vehicle Contact Centre.

Driven to distraction

- 149** A common complaint from the drivers we interviewed was that they were unable to get answers about their licence status without being shunted from one official or office to another – and sometimes not even then.

Going in circles – Pierre’s story

- 150** Pierre was unaware that his driver’s licence had been suspended for an unpaid speeding fine until he attempted to register a new car. He immediately paid the outstanding fine and reinstatement fee, and was able to complete the vehicle registration. A few days later, he was surprised to receive a “Notice of Outstanding Licensing Requirements” in the mail – although it simply advised him that his licence was valid and no further steps were required.
- 151** As someone who has difficulty walking and relies heavily on his car to get around, Pierre told us he was relieved to get his licence reinstated relatively quickly. However, getting answers about what led to the suspension and when it began proved more challenging.
- 152** He first contacted ServiceOntario, but he said staff there couldn’t tell him when the suspension began, because of “privacy considerations.” He then tried the provincial offences court, but was told they couldn’t provide any information “for privacy reasons.” Finally, Pierre thought to contact the Ministry of Transportation, but officials there said they couldn’t provide the information either, and suggested he try ServiceOntario. He told us he gave up, since he had “completed the circle” without getting anywhere.
- 153** With the help of our Office, Pierre was able to piece together what happened. He received a speeding ticket in September 2011. He had tried to pay it online right away, but received a message saying the ticket hadn’t been registered yet. He acknowledged that he forgot to try again later. He told us he received no notices and knew nothing of his suspension until 2017, when he bought his new car. However, the Ministry provided our Office with a copy of his Notice of Suspension, issued in 2017.
- 154** Even though his original driving offence was in 2011, his suspension did not take effect until February 2017. He never received any explanation for this time gap of almost six years.

Delayed reaction – Pablo’s story

- 155** Pablo received a speeding ticket in February 2017 and promptly paid it online through a third-party payment service – but he accidentally directed the payment to the wrong municipal court office. In May 2017, he received an email saying his payment was being refunded because that court had no record of his ticket. One week later, before he was able to sort out the matter, he received a Notice of Suspension due to the unpaid fine.
- 156** Pablo told us he was in “total shock” and “disbelief” upon learning about the suspension for a ticket that he had tried to pay on time. Although he was ultimately able to reinstate his licence (after paying the \$198 reinstatement fee along with the original fine of \$40), he pointed out that he could have resolved the issue and avoided the suspension entirely if only the Ministry had notified him before it took effect.
- 157** When he first received the suspension, Pablo tried to resolve the issue at ServiceOntario, but the employee at the counter was unable to help him. While still in the ServiceOntario location, he spoke by telephone with the provincial offences court and the Ministry of Transportation’s Driver Control Section.
- 158** Like Pierre, Pablo found that each organization referred him to someone else for answers. He told us he felt there was “a complete lack of interest, on anybody’s part” to resolve his concerns, and that “somewhere in the system...there is a human factor that is missing.”

“A really mean trick” - Sophie’s story

- 159** Sophie, a divorced mother who suffers from post-traumatic stress disorder, back issues and arthritis, told us about her experience dealing with a \$35 speeding ticket that she received in January 2008. She did not pay the ticket at the time because she was struggling to make ends meet and relying on a food bank after a difficult divorce. She was repeatedly given extra time by the court to pay, resulting in four suspensions and four reinstatements. In 2013, Sophie was on somewhat better financial footing and was able to pay the ticket and the reinstatement fee.
- 160** She went to a ServiceOntario location and paid the reinstatement fee, expecting that she would then receive a new licence. Instead, staff told her they could not issue her a licence and that she would have to speak to someone on the phone about her situation. Sophie told us she was dumbfounded:

I remember standing there, going: “but the licences are issued here, I’ve just paid the fee, why am I calling somebody?” And [the ServiceOntario employee] says: “Well, this is just the way it works, you have to call.”

- 161 On the phone with ServiceOntario’s call centre, Sophie was told that because she had not held a valid licence in the past three years, she would have to retake and pay for the graduated licensing tests. She was especially frustrated that she was only told this after she had paid the reinstatement fee:

I thought it was a really mean trick...a really cruel thing, and very misleading to tell people that you are giving them back their licence in exchange for this reinstatement fee, taking the money, and then telling them “go and start your driving all over again through the graduated system.” [emphasis added]

- 162 Noting that she still has to watch her budget closely, Sophie said ServiceOntario should have told her all of the steps and related fees that were required for her to obtain a valid licence, before she paid the reinstatement fee. ServiceOntario also did not tell her that the graduated licensing wait times would not apply to her. Faced with the prospect of what she thought would be a two-year testing process, Sophie gave up on trying to get her licence back.
- 163 It was only after speaking with our Office that Sophie learned that the graduated licensing wait times would not apply to her. She was delighted by this news and said she would pursue the retesting after all.

Levels of service

- 164 An issue that baffled Pierre, Pablo, Sophie and several other drivers we spoke to was the limited information they were able to receive from staff at ServiceOntario or the Ministry of Transportation. One reason for this is that not every employee who deals with driver’s licences is able to view all aspects of a driver’s record.

ServiceOntario locations

- 165 ServiceOntario, a part of the Ministry of Government and Consumer Services, is responsible for collecting most fines, driver’s licence reinstatement fees and processing reinstatements. There are 206 privately-operated ServiceOntario centres across the province, and 80 government-operated ones.
- 166 ServiceOntario staff can provide drivers with some information about the status of their licences, such as whether or not it is suspended. However, staff at privately-operated ServiceOntario centres cannot see certain information about

drivers, such as the source of the suspension or the date it took effect – they can tell you that your licence is suspended, but not why.

- 167** Staff at government-operated locations can see more information, but no frontline ServiceOntario staff are trained to read driver records in detail. For more complex issues, they instead have to call ServiceOntario's Driver and Vehicle Hotline to get information about a driver and authorization to complete certain transactions.⁴²
- 168** ServiceOntario officials told us counter staff are instructed to refer many drivers' questions, such as those regarding graduated licensing tests for drivers whose licences have been invalid for more three years, to their Driver and Vehicle Contact Centre or the Ministry of Transportation's Driver Control section.

ServiceOntario Driver and Vehicle Contact Centre

- 169** ServiceOntario's Driver and Vehicle Contact Centre is a call centre that answers questions from members of the public. Staff at the centre deal exclusively with calls related to the Ministry of Transportation, so they are more knowledgeable about driver issues than ServiceOntario counter staff, who are trained to deal with a broad range of services spanning several ministries. The centre receives about 70,000 calls per month. Its phone number appears on the top of the Notice of Suspension that drivers receive from the Ministry of Transportation.
- 170** Contact centre staff can view information in a driver's record, explain processes, and answer questions. A manager there told us staff can usually handle complex and difficult inquiries relating to suspensions without referring drivers to the Ministry. In fact, contact centre staff told us they are trained never to refer a suspended driver to the Ministry, except in special circumstances (e.g., a court error). However, contact centre staff cannot perform any transactions, take payments or edit driver-related information – they cannot even change a driver's address. For these matters, they direct callers to ServiceOntario's website or office locations.

Ministry of Transportation Driver Control Section

- 171** Part of the Ministry's Driver Improvement Office, this section's telephone number is provided on the top of the Notice of Outstanding Licensing Requirements. The section has more than 25 staff members who respond to calls from the public regarding drivers' records and driver improvement programs, including suspensions for unpaid fines. Driver Control analysts have full access to the licensing system and can perform all driver-related transactions. In 2016, the section received more than 120,000 calls and some 6,000 emails.

⁴² The Driver and Vehicle Hotline does not take calls from the public.

172 Ministry officials told us the Driver Control Section receives relatively few calls about suspensions for unpaid fines, although the section did not track call topics until April 2018.

One government, one-stop service

173 With so many organizations playing a role in the process of suspending drivers for unpaid fines, co-operation and communication are essential. However, this can be hard to achieve. A 2011 white paper prepared by the Ontario Association of Police Services Boards – *Provincial Offences Act: Unpaid Fines a \$Billion Problem* – found that the organizations involved in this process often worked in silos.⁴³

174 When we asked the Manager of the Ministry of Transportation’s Driver Improvement Office if this silo mentality still existed in 2017, he acknowledged that it was a problem in the past and that it would be foolish to say it has been completely resolved. However, he said the Ministry has begun to see the benefits and value of working more collaboratively with the Ministry of the Attorney General and ServiceOntario. Among the steps taken to improve its working relationship with ServiceOntario are developing a governance structure, creating joint committees, and refreshing the existing Memorandum of Understanding.

175 Drivers should not have to make numerous visits and calls to obtain basic information about the status of their licences, and they should be able to count on courteous service that provides relevant information in a timely fashion. Ontario’s highly segmented approach to suspensions for unpaid fines means that there is no “one-stop shop” where drivers can go to have their questions and concerns addressed. It is reasonable for them to expect to get answers to all of their suspension-related questions in one place, without having to be concerned about the distinctions between the municipal courts, the Ministry of Transportation, the Ministry of the Attorney General, and ServiceOntario.

176 The Ministry of Transportation is responsible for driver licensing and vehicle registration. It must take the lead to ensure drivers receive complete and accurate responses to their questions without being shunted off to multiple organizations. As one court employee put it, in the mind of the average driver, “the government is the government.”

177 Other jurisdictions have already developed innovative solutions along these lines. New York, for instance, allows residents to access online services from various

⁴³ Ontario Association of Police Services Boards, “Provincial Offences Act – Unpaid Fines, A \$Billion Problem” (1 November 2011), online: <http://ottawa.ca/calendar/ottawa/citycouncil/opsb/2011/12-19/item7atta.pdf>

state agencies using a single username and password.⁴⁴ After creating an account, drivers can check the status of their licences, change their addresses, access their driving records, and even request licence reinstatements online. The same account also lets them access such other government services as unemployment benefits and tax records. This unified platform provides a central place to access key government information in an easy and convenient way.

- 178** The Ministry should work with its partner agencies to explore ways to improve the customer service experience for drivers who have questions related to their suspensions for unpaid driving fines. As part of this improvement exercise, the Ministry should consult with internal and external stakeholders, including frontline staff, managers who deal with escalated complaints, and drivers who have been suspended for unpaid fines. The Ministry should investigate providing staff at partner organizations with access to the information required to answer the most common questions from suspended drivers, as well as training on how to interpret this information. It should also work with its partners to ensure that, before they accept a reinstatement fee, they have informed the driver of all other relevant requirements and fees, such as graduated testing.
- 179** We were told that the Ministry has already begun taking steps to address some of these concerns, including an initiative within the Driver Control Section to provide a more co-ordinated response to public inquiries. Under this system, analysts are encouraged to deal with issues from the perspective of the average driver, who tends to see the courts, police, ServiceOntario and relevant ministries simply as “the government.” This is a promising start, but more work must be done to ensure that drivers consistently receive accurate, complete and timely information.

Recommendation 27

The Ministry of Transportation should work with its partner agencies to explore and implement ways to improve the customer service experience for drivers who have questions related to their suspensions for unpaid driving fines.

Recommendation 28

The Ministry of Transportation should consult with internal and external stakeholders, including frontline staff, managers who deal with escalated complaints, and drivers who have been suspended for unpaid fines, when investigating ways to improve the customer service experience for drivers with suspensions for unpaid fines.

⁴⁴ “MyDMV”, New York State, online: <https://dmv.ny.gov/mydmv/mydmv>

Recommendation 29

The Ministry of Transportation should investigate whether it is possible to provide staff at its partner agencies with access to the information required to provide complete answers to common questions from drivers suspended for unpaid fines, as well as training on how to interpret this information.

Recommendation 30

The Ministry of Transportation should work with its partner agencies to ensure that drivers are provided with complete and timely information about all steps necessary to reinstate their licences, including retesting.

Recommendation 31

The Ministry of Transportation should work with its partner agencies to ensure drivers are informed of any graduated licence requirements before paying their reinstatement fees.

This Call May Not be Recorded: Monitoring Issues

- 180** In addition to the stories we heard from drivers about problems with frontline customer service, our investigation also found serious issues with how the Ministry oversees and monitors the process for responding to drivers' concerns about licence suspensions.

Recording and quality assurance

- 181** We requested recordings and notes related to several of the drivers highlighted in this report, but found this information was typically unavailable because few calls are recorded, those that are recorded are soon deleted, and Ministry staff often do not document their calls with drivers in any fashion.

"It's not my job" - Javier's story

- 182** Javier was unexpectedly pulled over by a police officer in February 2017 and told that his licence had been invalid for more than three years. He later learned that the suspension was related to a speeding ticket he received in March 2013. Javier did pay the ticket in July 2013, but he was unaware the suspension had already gone into effect in June. He also didn't know a reinstatement fee was required, so his licence remained "cancelled," even though he paid the speeding fine.

- 183** Once he learned his licence was invalid, Javier went to ServiceOntario to pay his reinstatement fee, where he was told he would have to complete the graduated licensing tests. He then called the Ministry's Driver Control Section to find out more about why his licence was cancelled, the retesting requirements, and the statutory authority for each. He said the analyst who dealt with his call had little information or empathy to offer, and instead told him it wasn't her job to provide this information.
- 184** Dissatisfied with this response, Javier complained to the analyst's manager. The manager told our investigators she reviewed a recording of the call and that, in her opinion:
- We provided terrible customer service to [Javier]. It was essentially he called and said that he was suspended and that he had to do testing and wanted to know what [...] section of the [*Highway Traffic Act*] that requirement fell under. That was his question. And he was told [...] pretty much "it's not my job to decipher the *Highway Traffic Act* for you."
- 185** When Javier persisted and asked to speak to somebody who could give him the information, he was told this wasn't possible and that he would have to send an email to the general address for the Ministry's Driver Improvement Office if he wished to make a complaint. He did so, which resulted in the manager's review of the call and a letter providing basic information about licence suspensions for unpaid fines.
- 186** In assessing the customer service provided during the call, the manager told us the analyst's tone was sharp, rude and disrespectful. This was similar to Javier's view that the analyst was "beyond rude" and had "no interest in engaging" with his question. Unfortunately, our investigators were unable to directly assess the customer service provided by the Ministry because the recording was deleted automatically after 90 days, before we requested it as part of this investigation.

Improving control

- 187** We were told that only about 2% of calls are recorded by the Ministry's Driver Control Section because of technical limitations and the cost of digital storage. The section's call management system randomly selects which calls to record, and the recordings are deleted after 90 days. The Ministry does not have any policy or procedure that instructs staff to record calls in specific instances, such as those involving difficult or contentious matters. However, Ministry staff have recently adopted the practice of downloading recordings of difficult calls and emailing the recordings to themselves for documentation purposes.

- 188** A small number of these recordings (typically one per month per employee) are evaluated for training and quality assurance purposes. A manager in the Driver Control Section told us that managers reviewing the calls are supposed to use a “scorecard” to evaluate performance, but it is not being used consistently. He acknowledged the need for more robust quality control and suggested that this might occur once the Ministry implements plans for a new telephone system.
- 189** We also raised questions about the lack of notes kept by staff at the Ministry’s Driver Control Section to document their interactions with drivers. Among other things, this means they have no way of knowing if the driver has contacted them before.
- 190** During the investigation, we were told the Driver Control Section used outdated software that makes it difficult for staff to record information about specific calls within individual drivers’ files for future reference. The Ministry said that changes implemented in April 2018 addressed some of these issues and now allow staff to document the topic of each call.
- 191** In addition, Driver Control has introduced two projects to improve customer service. In May 2017, the section switched to a “First Call Resolution” approach, which encourages staff to slow down and determine how to deal with the issue the person is calling about rather than trying to rush through the call because others are waiting on hold. In September 2017, the section initiated a pilot project that uses two tiers of support. All calls come to the same phone number, but if the issue is complex, the call is forwarded to a second queue and is handled by a select group of experienced staff. We were told the first few months of the two-tier approach resulted in fewer cases being escalated to management.
- 192** We were also told there are initiatives underway to improve the tracking of driver inquiries, and that as a pilot project, the Ministry’s Driver Control Section has begun making notes in its call management software for each call it receives.
- 193** To enhance the quality and consistency of customer service for drivers suspended for unpaid fines, the Ministry should improve its system for recording, storing, and auditing calls received by the Ministry’s Driver Control Section. Over the next 12 months, the Ministry should develop and begin implementing a plan to record and save all calls for documentation and quality control purposes. While this initiative is ongoing, the Ministry should take steps to keep accurate written or electronic records of all calls.
- 194** The Ministry should also develop and commit to customer service principles that clarify the role of Ministry staff and set drivers’ expectations. These principles could include concepts of courteousness, helpfulness, and accuracy in all

communications with drivers. The commitments should be made public and staff should receive regular training on their implementation.

- 195** In addition, the Ministry should improve its process for monitoring and evaluating the customer service provided by Driver Control staff. It should revise the existing scorecard evaluation method to ensure that managers are consistently measuring staff against metrics that include courtesy, accuracy of information provided, and overall customer satisfaction. In addition, in consultation with ServiceOntario, it should consider implementing a case management system that efficiently logs, tracks and monitors driver interactions with Ministry and ServiceOntario staff.
- 196** To help provide a consistent and excellent customer service experience, the Ministry should work with ServiceOntario to ensure that these improved procedures are adopted by ServiceOntario locations and ServiceOntario's Driver and Vehicle Contact Centre. If necessary, the Memorandum of Understanding between the organizations should be revised to reflect these customer service procedures.

Recommendation 32

The Ministry of Transportation should develop and begin implementing a plan within 12 months to record and save all calls for documentation and quality control purposes.

Recommendation 33

While the Ministry of Transportation is working to develop and implement a plan for recording and saving all calls, it should take steps to keep accurate written or electronic records of all calls.

Recommendation 34

The Ministry of Transportation should develop and commit to customer service principles that clarify the role of Ministry staff and set drivers' expectations. These principles may include concepts of courteousness, helpfulness and accuracy in all communications with drivers. These commitments should be made public and staff should receive regular training on their implementation.

Recommendation 35

The Ministry of Transportation should improve its process for monitoring and evaluating the customer service provided by Driver Control staff. A specified number of calls each month per employee should be consistently evaluated against a standardized scorecard that includes metrics for courtesy, accuracy of information provided, and overall customer satisfaction.

Recommendation 36

The Ministry of Transportation, in consultation with ServiceOntario, should consider implementing a case management system that efficiently logs, tracks and monitors driver interactions with Ministry and ServiceOntario staff.

Recommendation 37

The Ministry of Transportation should work with ServiceOntario to ensure that the recommendations I have made to improve the Ministry's customer service are adopted by ServiceOntario locations and ServiceOntario's Driver and Vehicle Contact Centre. If necessary, the Memorandum of Understanding between the organizations should be revised to reflect these requirements.

- 197 I am hopeful that the ongoing initiatives by the Ministry, guided by my recommendations, will ensure that all drivers receive consistent, high quality service when seeking information about their suspensions for unpaid fines.

Tracking satisfaction and complaints

- 198 We also learned that the Ministry's Driver Control section has no mechanism for tracking customer complaints or satisfaction.
- 199 The Ministry told us its plan for a new phone system includes the ability to survey callers about the service they received. ServiceOntario already conducts client satisfaction surveys, and we were told that from April 2015 to March 2016, customer satisfaction was 90% (related to the broad array of services ServiceOntario provides, not just those related to driving).
- 200 The Ministry, like ServiceOntario, should implement a system for monitoring customers' satisfaction with the Driver Control section.

Recommendation 38

The Ministry of Transportation should implement a system for monitoring customers' satisfaction regarding their interactions with the Driver Control Section.

- 201 There is also no consistent mechanism for tracking complaints related to the Driver Control section. As a result, the Ministry struggled to provide my investigators with information about the volume or content of the complaints it receives about suspensions for unpaid fines.

- 202** In fact, officials told us that until recently, it was common for Driver Control analysts to tell drivers who wished to make a complaint that they should do so by contacting their Member of Provincial Parliament or the Ontario Ombudsman, rather than escalating their concern within the Ministry. We were told that this was a strategy to keep calls brief, since analysts were assessed on their average call lengths. However, Ministry officials told us that analysts are now encouraged to spend more time on each call to “actually try to help the driver,” a comment that suggests this might not have been the priority in the past.
- 203** According to one manager we interviewed, many drivers who initially want to make a complaint are satisfied once they receive an explanation about the requirements for licence reinstatement. The Ministry also recently implemented a basic procedure for escalating calls internally if the driver is dissatisfied or requires further information, but it provides limited guidance about which calls should be escalated and how they should be documented.
- 204** Without a method for consistently tracking complaints, the Ministry cannot accurately assess trends or identify areas for potential improvement. It should improve its method for identifying, documenting, and tracking complaints related to the Driver Control Section and the process for licence suspensions due to unpaid fines. It should also develop a comprehensive complaint policy and procedure.

Recommendation 39

The Ministry of Transportation should improve its method for identifying, documenting, and tracking complaints related to the Driver Control Section and the process for licence suspensions for unpaid fines.

Recommendation 40

The Ministry of Transportation should develop a comprehensive complaint policy and procedure that addresses situations where a person remains dissatisfied after speaking with a Driver Control analyst.

- 205** The Ministry does not operate any type of “mystery shopper” program to audit the quality and accuracy of the service provided by Driver Control or ServiceOntario staff regarding suspensions for unpaid fines. An audit of this type – where an employee or contractor poses as a driver with a suspended licence – would provide the Ministry with valuable information how it could improve customer service. The Ministry already oversees and administers this type of quality assurance program with regard to enhanced drivers’ licences. It should implement a similar program to audit information provided by Ministry or ServiceOntario staff to drivers regarding suspensions for unpaid fines.

Recommendation 41

The Ministry of Transportation should implement a mystery shopper program to audit information provided to drivers by Ministry or ServiceOntario staff regarding suspensions for unpaid fines.

Opinion

- 206** Driving is a privilege, not a right, but it is a privilege that many Ontarians consider essential. Particularly in remote areas of the province, driving can be a lifeline. Driver's licence suspensions for unpaid driving fines can have severe practical consequences, not just for drivers but for anyone involved in an accident with a driver who is unknowingly unlicensed and potentially uninsured. When drivers do not receive adequate, effective and timely notice of licence suspensions, the consequences compound. They can be criminally charged for driving while suspended, lose their insurance coverage, and have to repeat the graduated licensing process.
- 207** Drivers bear responsibility for meeting the legal requirements to maintain their driving privilege. However, they are entitled to clear and timely notification when that privilege is at risk or has been lost, and to straightforward information about the steps they must take to continue driving.
- 208** My investigation found that the Ministry has failed to communicate adequately and effectively with drivers whose licences, due to unpaid fines, are at risk or have been suspended. The Ministry does not provide drivers with clear advance notice that failing to pay a driving fine will result in licence suspension; they are only told suspension "may" result – until they receive a notice saying suspension is already in effect. For a variety of reasons – including issues with a mailing system that results in thousands of them being returned to the Ministry as undeliverable – many drivers never receive these notices at all. Many continue to drive illegally, sometimes for years, until they are pulled over by police, denied insurance, or refused a vehicle plate renewal.
- 209** The notices themselves are also inadequate and ineffective. They are long, confusing, overcomplicated, and poorly formatted. And when drivers raise questions about the notices and the process that led to them, they often encounter poor customer service and a bureaucratic runaround.
- 210** Although there are multiple agencies involved in the licence suspension and reinstatement process, it is the Ministry that has primary responsibility for administering driver's licensing. It has failed to take the lead in ensuring that accurate, clear, comprehensive and consistent information is available to the

driving public. It has also failed to take sufficient steps to monitor the quality of customer service provided in this area.

- 211 Accordingly, it is my opinion that the Ministry of Transportation's administrative process for notifying and communicating with drivers about licence suspensions and reinstatements is unreasonable, unjust, and wrong under s. 21(1)(b) and (d) of the *Ombudsman Act*.
- 212 I am committed to monitoring the Ministry's efforts to address my concerns and to ensuring that concrete reparative action is taken.

Recommendations

- 213 I make these recommendations with the aim of increasing public understanding of the process for licence suspension and reinstatement, reducing the number of Ontario drivers who are unwittingly driving without valid licences, and protecting the public from the potentially catastrophic consequences of having unknowingly suspended drivers on the road:
1. **The Ministry of Transportation should investigate methods for improving and automating its system for tracking returned mail and then implement an effective method for tracking returned mail.**
 2. **The Ministry of Transportation should take all necessary steps to ensure that all Notices of Suspension and Notices of Outstanding Licensing Requirements are sent to drivers' address of preference – i.e., residential or mailing address – including seeking any required amendments to the *Highway Traffic Act*.**
 3. **The Ministry of Transportation should take all necessary steps to provide drivers with specific advance notice of their impending suspensions, as well as information about the steps drivers must take to avoid suspension. The Ministry should ensure that the pre-suspension grace period is sufficient to allow time for the notice to arrive in the mail and for the driver to take steps to avert the suspension, if desired. The Ministry should seek any required amendments to the *Highway Traffic Act* to allow for a pre-suspension grace period.**
 4. **The Ministry of Transportation should investigate and implement ways to remind drivers to update the address on their driver's licences and emphasize the importance of doing so.**

5. **The Ministry of Transportation should explore and, if feasible, implement additional or alternative methods of notifying drivers about important information regarding their licence status, such as email and text message.**
6. **In conducting this review, the Ministry should explore digital solutions, such as a unified online portal for personal driving information, that would allow drivers to access real-time updates on their licence status.**
7. **The Ministry should consult with the Ontario Digital Service regarding digital solutions, such as electronic communication and online portals, to inform drivers of important information about their licence status.**
8. **The Ministry of Transportation should work with its partner agencies, including the police, Ministry of the Attorney General, courts, municipalities, and ServiceOntario, to inform drivers proactively that their licences will be suspended if they fail to pay driving fines.**
9. **The Ministry of Transportation should review its website content to ensure that it provides clear information about the unpaid fine suspension process, including timelines for payment, consequences for failure to pay, consequences of driving while suspended, and requirements for reinstatement.**
10. **The Ministry of Transportation should work with its partner agencies to ensure that each organization's website provides clear information about the unpaid fine suspension process.**
11. **The Ministry of Transportation should allow the public to check the status of driver's licences online without charge.**
12. **The Ministry of Transportation should provide public education about the online status checker tool so that drivers are aware of the website's existence and their obligation to monitor their licence status.**
13. **The Ministry of Transportation should conduct a review of the Notice of Suspension and revise it using plain language to convey information in a clear and understandable way.**
14. **The Ministry of Transportation should draw on internal and external experts in driver behaviour and accessibility when redesigning the Notice of Suspension.**

- 15. To maintain road safety for all drivers, the Ministry of Transportation should ensure that the revised Notice of Suspension emphasizes that drivers must stop driving, as well as the steps necessary to reinstate their driving privilege.**
- 16. The Ministry of Transportation should investigate the feasibility of tailoring the Notice of Suspension to the individual circumstances of the recipient, and only include information that is relevant.**
- 17. The Ministry of Transportation should ensure that the Notice of Suspension proactively informs drivers about electronic resources that are available to help them understand and remedy their licence status.**
- 18. The Ministry of Transportation should create a new or renamed notice (e.g. Notice of Reinstatement) to send to drivers who have been reinstated and do not have any outstanding licensing requirements. Like the existing notice, it should inform drivers that their privilege to drive has been reinstated and include a temporary driver's licence.**
- 19. The Ministry of Transportation should conduct a review of the Notice of Outstanding Licensing Requirements and revise it using plain language to convey information in a clear and understandable way.**
- 20. In conducting its review and in any redesign of the Notice of Outstanding Licensing Requirements, the Ministry of Transportation should draw on internal and external experts in driver behaviour and accessibility.**
- 21. The Ministry of Transportation should ensure that when temporary licences are sent to drivers who have not yet paid their reinstatement fees, there is a clear and prominent warning that their licences will no longer be valid if they do not take additional steps within 60 days.**
- 22. The Ministry of Transportation should ensure that when it sends out Notices of Outstanding Licensing Requirements or similar notices, those drivers required to re-take driving tests are informed about whether there is a mandated waiting period between each test.**
- 23. The Ministry of Transportation should ensure that the Notice of Outstanding Licensing Requirements informs drivers of the date when their licences were last valid, to allow them to calculate which retesting requirements, if any, apply to their circumstances.**

- 24. The Ministry of Transportation should seek to amend Regulation 340/94 to provide staff with discretion to waive the graduated licensing requirements in extenuating circumstances.**
- 25. The Ministry of Transportation should create a fair process regarding staff discretion to waive the graduated licensing requirements in extenuating circumstances. The process should take into account whether the licence in question was invalid for administrative reasons, such as an unpaid reinstatement fee, and whether the person has continued driving with no risk to public safety in the intervening period.**
- 26. The Ministry of Transportation should work with the Ministry of the Attorney General to explore the feasibility of drafting a specific Offence Notice and Notice of Fine and Due Date that inform drivers that defaulted fines for the specified offence will result in licence suspension.**
- 27. The Ministry of Transportation should work with its partner agencies to explore and implement ways to improve the customer service experience for drivers who have questions related to their suspensions for unpaid driving fines.**
- 28. The Ministry of Transportation should consult with internal and external stakeholders, including frontline staff, managers who deal with escalated complaints, and drivers who have been suspended for unpaid fines, when investigating ways to improve the customer service experience for drivers with suspensions for unpaid fines.**
- 29. The Ministry of Transportation should investigate whether it is possible to provide staff at its partner agencies with access to the information required to provide complete answers to common questions from drivers suspended for unpaid fines, as well as training on how to interpret this information.**
- 30. The Ministry of Transportation should work with its partner agencies to ensure that drivers are provided with complete and timely information about all steps necessary to reinstate their licences, including retesting.**
- 31. The Ministry of Transportation should work with its partner agencies to ensure drivers are informed of any graduated licence requirements before paying their reinstatement fees.**

- 32. The Ministry of Transportation should develop and begin implementing a plan within 12 months to record and save all calls for documentation and quality control purposes.**
- 33. While the Ministry of Transportation is working to develop and implement a plan for recording and saving all calls, it should take steps to keep accurate written or electronic records of all calls.**
- 34. The Ministry of Transportation should develop and commit to customer service principles that clarify the role of Ministry staff and set drivers' expectations. These principles may include concepts of courteousness, helpfulness and accuracy in all communications with drivers. These commitments should be made public and staff should receive regular training on their implementation.**
- 35. The Ministry of Transportation should improve its process for monitoring and evaluating the customer service provided by Driver Control staff. A specified number of calls each month per employee should be consistently evaluated against a standardized scorecard that includes metrics for courtesy, accuracy of information provided, and overall customer satisfaction.**
- 36. The Ministry of Transportation, in consultation with ServiceOntario, should consider implementing a case management system that efficiently logs, tracks and monitors driver interactions with Ministry and ServiceOntario staff.**
- 37. The Ministry of Transportation should work with ServiceOntario to ensure that the recommendations I have made to improve the Ministry's customer service are adopted by ServiceOntario locations and ServiceOntario's Driver and Vehicle Contact Centre. If necessary, the Memorandum of Understanding between the organizations should be revised to reflect these requirements.**
- 38. The Ministry of Transportation should implement a system for monitoring customers' satisfaction regarding their interactions with the Driver Control Section.**
- 39. The Ministry of Transportation should improve its method for identifying, documenting, and tracking complaints related to the Driver Control Section and the process for licence suspensions for unpaid fines.**

40. The Ministry of Transportation should develop a comprehensive complaint policy and procedure that addresses situations where a person remains dissatisfied after speaking with a Driver Control analyst.

41. The Ministry of Transportation should implement a mystery shopper program to audit information provided to drivers by Ministry or ServiceOntario staff regarding suspensions for unpaid fines.

42. The Ministry of Transportation should report back to my Office in six months' time on the progress in implementing my recommendations, and at six-month intervals thereafter until such time as I am satisfied that adequate steps have been taken to address them.

Response

214 The Ministry of Transportation was given an opportunity to review and respond to my preliminary findings, opinion and recommendations. These were also provided to Ontario's Chief Digital Officer, whose observations were incorporated into the Ministry's response. The Ministry's comments were taken into consideration in the preparation of this report.

215 On behalf of the Ministry, the Deputy Minister accepted 38 of my 42 recommendations and agreed to study two others before committing to their implementation. The Deputy Minister said that recommendations 24 and 25, which would give Ministry staff discretion to waive graduated licensing requirements in extenuating circumstances, would not be implemented because the Ministry believes that its existing process allows for the same outcome to be reached.

216 The Deputy Minister's response also highlighted improvements that the Ministry has already made to the administrative process of suspending drivers for unpaid fines. He indicated that the *Provincial Offences Act* Fine Collection Project, which allows drivers to pay most defaulted fines and reinstatement fees at ServiceOntario, has resulted in a substantial decrease in the number of cancelled licenses due to unpaid reinstatement fees. The Deputy Minister acknowledged that further improvements can be made and said that the Ministry looks forward to reporting on its progress in addressing our recommendations. A copy of this response, including the Ministry's detailed response to each recommendation, can be found at Appendix B.

- 217** I am encouraged by the Ministry's efforts to improve its processes, and by its positive response to the vast majority of my recommendations. However, I am concerned about its decision not to implement recommendations 24 and 25, which relate to the testing requirements that apply to drivers who have not held a valid licence in more than three years. The Ministry says its position is based on a belief that the current process allows for the same outcome. My Office recommended that the Ministry amend Regulation 340/94 to provide staff with discretion to waive these requirements in extenuating circumstances and that the Ministry develop a fair process regarding the use of this discretion. In response, the Ministry indicated that staff can already make recommendations to the Deputy Registrar when they believe an extenuating circumstance – i.e., a Ministry error or incorrect information on a driving record – would warrant waiving the driving and knowledge test requirements. Other changes implemented during the *Provincial Offences Act* Fine Collection Project would also make it less likely that a driver could unknowingly drive with an invalid licence for more than three years and thus be subject to the testing requirements. The Ministry emphasized the need to maintain road safety and said that drivers are already exempted from the otherwise applicable waiting periods between each test.
- 218** While I appreciate the Ministry's commitment to road safety, there can be extenuating circumstances behind a long-invalid licence, and drivers who find themselves in this situation are not necessarily a safety risk. I intend to monitor the Ministry's process for waiving the driving and knowledge test requirements closely and proactively, in order to ensure its adequacy and effectiveness.
- 219** I appreciate the co-operation received from all stakeholders in this investigation. The Ministry has agreed to provide my Office with semi-annual status updates, and I will carefully monitor its progress in implementing and further studying my recommendations.



Paul Dubé
Ombudsman of Ontario

Appendix A: Examples of Notices

| | |
|-------------------------------------------------|---------------------------------------|
| ICON Location Code Code d'emplacement du RII | Offence number Numéro d'infraction |
|-------------------------------------------------|---------------------------------------|

Form 3, *Provincial Offences Act*, Ontario Court of Justice, O. Reg. 108/11
Formulaire 3, Loi sur les infractions provinciales, Cour de justice de l'Ontario, Règl. de l'Ont. 108/11

Offence Notice Avis d'infraction

(print name / nom en lettres moulées)

believe and certifies that on the day of

| | | | |
|-------|-------|-------|--------------|
| Y / A | M / M | D / J | Time / Heure |
| 2 | 0 | | |

crois et atteste que le

Name _____
Nom (family / nom de famille)

(given / prénom) _____ (initials / initiales) _____
 Address _____
Adresse (number and street / numéro et nom de la rue)

(municipality / municipalité) _____ (P.O. / C.P.) _____ (province) _____ (postal code / code postal) _____

Driver's Licence no. / N° de permis de conduire _____ Juris / Aut. Lég. _____

| | | | | |
|------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------|
| Birth Date / <i>Date de naissance</i> Y / A M / M D / J | Sex / <i>Sexe</i> | Motor Vehicle Involved / <i>Véhicule impliqué</i> <input type="checkbox"/> N / N | Collision Involved / <i>Collision</i> <input type="checkbox"/> Y / O | Witnesses / <i>Témoins</i> <input type="checkbox"/> Y / O |
|------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------|

At _____
 À _____ (municipality / municipalité)

Did commit the offence of _____
A commis l'infraction de

contrary to _____ sect. _____
contrairement à _____, art. _____

| | | | | | |
|-------------------------------------------------------|---------------------------|-------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------|------|
| Plate no. <i>N° de la plaque d'immatriculation</i> | Juris <i>Aut. Lég.</i> | Commercial <i>Utilitaire</i> <input type="checkbox"/> Y / O | CVOR <i>IUVU</i> <input type="checkbox"/> Y / O | NSC <i>CNS</i> <input type="checkbox"/> Y / O | Code |
|-------------------------------------------------------|---------------------------|-------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------|------|

CVOR No. - NSC No. / N° de l'IUVU - N° du CNS

And I further certify that I served an offence notice personally upon the person charged on the offence date. Or other service date of: _____
J'atteste également qu'à la date de l'infraction, j'ai signifié, en mains propres, un avis d'infraction à la personne accusée. Autre date de signification, le :

| | | | |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------|----------------------|
| Signature of issuing Provincial Offences Officer <i>Signature de l'agent des infractions provinciale</i> | Officer No. <i>N° de l'agent</i> | Platoon <i>Peloton</i> | Unit <i>Unité</i> |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------|----------------------|

| | | |
|---------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Set fine of <i>Amende fixée de</i> | Total payable <i>Montant total exigible</i> | Total payable includes set fine, applicable victim fine surcharge and costs. / Le montant total exigible comprend l'amende fixée, la suramende compensatoire pour l'aide aux victimes applicable et les frais. |
| \$ | \$ \$ | \$ |

Important:

You have 15 days from the day you receive this notice to choose one of the options on the back of the notice.

Important :

À compter de la réception du présent avis, vous avez 15 jours pour choisir une des options décrites au verso de l'avis.

Important – If you do not exercise one of the following options within 15 days of receiving this notice, you will be deemed not to dispute the charge and a justice may enter a conviction against you. Upon conviction, additional costs will be added to the total payable. If the fine goes into default, an administrative fee will be added and steps will be taken to enforce your defaulted fine. For example, information may be provided to a consumer reporting agency and for certain offences, including speeding, your driver's licence may be suspended.

Important – Si vous n'exercez pas l'une des options suivantes dans un délai de 15 jours à compter de la réception du présent avis, vous serez réputé(e) ne pas contester l'accusation et un juge pourra inscrire une déclaration de culpabilité contre vous. Sur déclaration de culpabilité, des frais additionnels s'ajouteront au montant total exigible. En cas de défaut de paiement de l'amende, des frais d'administration s'ajouteront et des mesures seront prises pour faire exécuter le paiement de votre amende. Par exemple, l'information pourra être transmise à une agence de renseignements sur le consommateur et dans le cas de certaines infractions, dont l'excès de vitesse, votre permis de conduire pourra être suspendu.

OPTION 1

Plea of Guilty – Voluntary Payment **Plaidoyer de culpabilité – paiement de Total Payable** I plead guilty and payment of the total payable is enclosed (follow the instructions on the "payment notice"). **volontaire du montant total exigible** : Je plaide coupable et le montant total exigible est joint au présent avis (suivre les instructions figurant sur « l'avis de paiement »).

OPTION 2

Plea of guilty – Submissions as to Penalty: I want to appear before a justice to enter a plea of guilty and make submissions as to penalty (amount of fine or time to pay). **Plaidoyer de culpabilité – observations au sujet de la peine** : Je désire comparaître devant un juge pour inscrire un plaidoyer de culpabilité et présenter des observations au sujet de la peine (montant de l'amende ou délai de paiement). **Note**: You must attend the court office shown below within the times and days shown. Bring this notice with you. **Remarque** : Vous devez vous présenter au greffe du tribunal indiqué ci-après aux dates et heures indiquées. Apportez le présent avis.

Ontario Court of Justice, Provincial Offences Office

Cour de justice de l'Ontario, Bureau des infractions provinciales

FOR INFORMATION ON ACCESS TO ONTARIO COURTS FOR PERSONS WITH DISABILITIES (Court to insert information) / POUR OBTENIR DES RENSEIGNEMENTS SUR L'ACCÈS DES PERSONNES HANDICAPÉES AUX TRIBUNAUX DE L'ONTARIO : (ajouter l'information)

POA-0948-E (2014/03)

Save Form / Sauvegarder

Print Form / Imprimer

Clear Form / Effacer

Page 2 of 2

OPTION 3

Trial Option, Ontario Court of Justice, Provincial Offences Office

Procès, Cour de justice de l'Ontario, Bureau des infractions provinciales

Notice of intention to appear in court:

I intend to appear in court to enter a plea of not guilty **at the time and place set for the trial** and I wish to have the trial conducted in the English language.

Avis d'intention de comparaître devant le tribunal :

I request a language interpreter for the trial. (Leave blank if inapplicable.)

J'ai l'intention de comparaître devant le tribunal pour inscrire un plaidoyer de non-culpabilité à l'heure et au lieu prévus pour le procès et je désire que le procès se déroule en français. Je demande l'aide d'un interprète en langue pour le procès. (À remplir, s'il y a lieu.)

Note: If you fail to notify the court office of address changes, you may not receive important notices, e.g., your Notice of Trial. You may be convicted in your absence if you do not attend the trial.

Remarque : Si vous omettez de prévenir le greffe du tribunal de tout changement d'adresse, vous pourriez ne pas recevoir d'importants avis (p. ex., votre avis de procès). Si vous n'assistez pas au procès, vous pourriez être déclaré(e) coupable en votre absence.

Signature
Changes to your address (if applicable):

Signature
Changement d'adresse (le cas échéant) :

Telephone Number:

Numéro de téléphone :

Ontario Court of Justice
 Provincial Offences Office
 Phone No. / N°. de téléphone

Cour de justice de l'Ontario
 Bureau des infractions provinciales

To / À

**NOTICE OF FINE AND DUE DATE
 AVIS D'AMENDE ET D'ÉCHÉANCE**

You have been convicted of an offence, and you owe the amount noted below.
 Vous avez été déclaré(e) coupable d'une infraction et vous devez payer l'amende indiquée ci-dessous.

| | | | | |
|---------------------------------------------------|----------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Place of Offence <i>Lieu de l'infraction</i> | | Offence Date (DD/MM/YY) <i>Date de l'infraction (JJ/MM/YY)</i> | | Offence <i>Infraction</i> |
| Due Date (DD/MM/YY) <i>Échéance (JJ/MM/AA)</i> | File No. <i>N° de dossier</i> | Plate No. <i>No de plaque d'immatriculation</i> | Conviction Date (DD/MM/YY) <i>Date de condamnation (JJ/MM/AA)</i> | Amount Due / <i>Montant exigible</i> \$ <i>Includes, costs and Victim Fine Surcharge / Comprend les amendes, les dépens et la suramende compensatoire</i> |

An additional administration fee of will be charged if the fine is not paid within fifteen days of the due date.

Des frais administratifs supplémentaires s'ajouteront si l'amende n'est pas payée dans les 15 jours de la date d'échéance.

If you have already paid the amount due, please disregard this notice.

Si vous avez déjà payé le montant exigible, veuillez ne pas tenir compte du présent avis.

FAILURE TO PAY THIS FINE BY THE DUE DATE MAY RESULT IN:

- Suspension of your driver licence and the imposition of a licence reinstatement fee.
- Additional collection costs.
- Informing the Credit Bureau of the debt, which may affect your credit rating.
- Referral to a Private Collection Agency for formal collection proceedings.

LE DÉFAUT DE PAIEMENT DE L'AMENDE AU PLUS TARD À LA DATE D'ÉCHÉANCE PEUT ENTRAÎNER LES ÉVENTUALITÉS SUIVANTES:

- Suspension de votre permis de conduire et imposition de frais administratifs pour le rétablissement du permis.
- Frais de recouvrement supplémentaires.
- Communication à l'agence d'évaluation du crédit des renseignements relatifs à votre dette, ce qui peut nuire à votre cote de solvabilité
- Renvois du dossier à une agence de recouvrement privée qui prendra les mesures officielles de recouvrement.

See reverse side of this form for additional legal measures which may be taken if payment is not received by the due date.

Voir le verso de la formule pour savoir les autres mesures légales pouvant être prises si le montant n'est pas reçu au plus tard à la date d'échéance.

COMPLETE AND DETACH THIS PORTION AND SEND WITH PAYMENT. SEE BACK FOR MAILING AND PAYMENT INSTRUCTIONS.

REMPLISSEZ CETTE PARTIE, DÉTACHEZ-LA ET ENVOYEZ-LA AVEC VOTRE PAIEMENT. LES DIRECTIVES D'ENVOI PAR LA POSTE ET LES MODES DE PAIEMENT SONT INDIQUÉS AU VERSO.

NAME AND ADDRESS:
 NOM ET ADRESSE :

cheque/money order enclosed
chèque/mandate joint VISA MASTERCARD

Conviction Date
Date de condamnation

Authorized Amount
Montant autorisé
 \$

CARD NUMBER / NUMÉRO DE LA CARTE

CARD EXPIRY DATE: MONTH YEAR
 DATE D'EXPIRATION: MOIS ANNÉE CVV

CARDHOLDER'S SIGNATURE
 SIGNATURE DU DÉTENTEUR DE LA CARTE

999

00

FAIL TO PAY BY THE DUE DATE

May result in:

- Suspension of a driver's licence, and the imposition of a licence reinstatement fee.
- Refusal to renew a licence plate.

Some of the following other legal measures may be available to be used to collect a debt:

- Register a lien against real property;
 - Addition to municipal tax roll;
 - Require your bank or other financial institution to deduct from your account (including RRSP funds) the money owing and send it to the court office;
 - Instruct the enforcement officials of the civil courts to seize and sell some of the property;
 - Require your employer to deduct from your wages the amount owing and send it to the court office;
- You have the right to apply to the court for an extension of time for payment of this fine.

LE DÉFAUT DE PAIEMENT AVANT LA DATE D'ÉCHÉANCE

Peut entraîner:

- La suspension de votre permis de conduire et l'imposition de frais administratifs pour le rétablissement du permis.
- Le refus de renouvellement de votre plaque d'immatriculation.

Certaines de mesures légales supplémentaires suivantes peuvent être prises pour recouvrer cette dette:

- Inscrire un privilège contre vos biens immobiliers.
- Ajouter le montant au rôle des impôts municipaux.
- Exiger de votre banque ou d'un autre établissement financier de déduire de votre compte (y compris les comptes de REER) le montant exigible et de l'envoyer au greffe.
- Ordonner aux agents d'exécution des tribunaux civils de saisir et vendre certains de vos biens.
- Ordonner à votre employeur de déduire du salaire le montant exigible et de l'envoyer au greffe.

Vous avez le droit de présenter au tribunal une demande de prorogation du délai de paiement de l'amende.

HOW TO PAY

- By credit card: **Visa or MasterCard**
- through the mail by completing the authorization form.
- By cheque or money order by mailing the bottom portion of this Notice.
- In person at any Provincial Offences Office by cheque, money order, credit card or cash.

If you have any questions regarding this matter, please contact the Court office at the address shown on the upper left-hand corner of the front of this notice.

Dishonoured cheques will be subject to an administrative charge and the amount may be immediately referred to a Private Collection Agency.

Make Cheque / Money Order payable to:

City of

and write the file number on the front of the cheque/money order. **Do not send cash or post-dated cheques.** If paying by Credit Card, please fully complete and sign the reverse side.

When you mail your payment and this notice, you assume the consequences if, for any reason, the payment is not received in our Court office by the due date.

MODE DE PAIEMENT

- Par carte de crédit: **Visa ou MasterCard**
- par la poste, en remplissant la formule d'autorisation.
- Par chèque ou mandat, en postant la partie inférieure de présent avis.

- En personne, à un bureau de infractions provinciales, par chèque, mandat, carte de crédit ou en espèces.

Si vous avez de questions à ce sujet, veuillez communiquer avec le greffe, à l'adresse indiquée dans le coin supérieur gauche, sur la première page du présent avis.

Les chèques refusés sont assujettis à des frais administratifs et le dossier peut être immédiatement envoyé à une agence de recouvrement privée.

Libellez votre chèque ou mandat à l'ordre de:

Ville de

et indiquez le numéro de dossier au recto du chèque/mandat. **N'envoyez pas d'argent en espèces ni de chèques postdatés.** Si vous payez par carte de crédit, veuillez dûment remplir et signer la partie correspondante au verso.

Lorsque vous envoyez par la poste votre paiement et le présent avis, vous êtes responsable des conséquences si, pour une raison quelconque, le greffe ne reçoit pas votre paiement à temps.

REMEMBER TO KEEP A RECORD OF THIS PAYMENT

MAILING INSTRUCTIONS

Mail payment along with this portion of the notice to:

ONTARIO COURT OF JUSTICE
PROVINCIAL OFFENCE OFFICE

N'OUBLIEZ PAS DE CONSERVER UNE PREUVE DU PAIEMENT

DIRECTIVES D'ENVOI PAR LA POSTE

Envoyez le paiement ainsi que la présente partie de l'avis à la

COUR DE JUSTICE DE L'ONTARIO
BUREAU DES INFRACTIONS PROVINCIALES

FOR INFORMATION ON ACCESS TO ONTARIO COURTS FOR PERSONS WITH DISABILITIES: [Court to insert information]

POUR OBTENIR DES RENSEIGNEMENTS SUR L'ACCÈS DES PERSONNES HANDICAPÉES AUX TRIBUNAUX DE L'ONTARIO, [ajouter l'information]

Guide for Defendants available at www.ontariocourts.ca/OCJPOAGuide, or contact the court office.

Le Guide du défendeur est consultable à www.ontariocourts.ca/GuideLIPCJO, ou contactez le greffe du tribunal.



Ministry of Transportation
Driver Improvement Office
Driver Control Section
77 Wellesley Street West, Box 671
Toronto ON M7A 1N3

Ministère des Transports
Bureau de perfectionnement en conduite automobile
Section de la surveillance de la conduite automobile
77, rue Wellesley Ouest, C.P. 671
Toronto ON M7A 1N3

**Notice of Suspension of
Driver's Licence
Avis de suspension du
permis de conduire**

Tel. (416) [REDACTED]
Tél. 1-800-[REDACTED]
Suspension No./N° de suspension

Y/A M/D/J
Date 2017/03/29

Reference of Driver's Licence Number
Numéro de référence ou du permis de conduire

N2943-1-[REDACTED]

Date of Birth
Date de naissance Y/A M/D/J Sex/ Sexe
19[REDACTED] MALE/HOMME

7000354

16

NEW, DRIVER, POA
34 TEST DR
MISSISSAUGA ONT.
L9K 9K9

YOUR DRIVER'S LICENCE IS SUSPENDED UNDER SECTION 46 OF THE HIGHWAY TRAFFIC ACT FOR NON PAYMENT OF A FINE OR FINES EFFECTIVE MAR. 29, 2017. DRIVER'S LICENCE SUSPENSIONS WILL ALSO AFFECT YOUR COMBINED PHOTO CARD, KNOWN AS AN ENHANCED DRIVER'S LICENCE (EDL), IF YOU ARE AN EDL HOLDER. IN ADDITION, YOU MAY BE INELIGIBLE TO COMPLETE SOME VEHICLE TRANSACTIONS (E.G. RENEW YOUR LICENCE PLATE VALIDATION).

YOUR LICENCE WILL REMAIN SUSPENDED AND YOU MAY BE INELIGIBLE TO COMPLETE SOME VEHICLE TRANSACTIONS (E.G. RENEW YOUR LICENCE PLATE VALIDATION) UNTIL ALL FINES ARE PAID.

FINE PAYMENTS:
CAN BE MADE ONLINE AT
WWW.SERVICEONTARIO.CA, A SERVICEONTARIO CENTRE OR THE APPROPRIATE MUNICIPAL OR CRIMINAL COURT OFFICE. FOR SERVICEONTARIO LOCATIONS, VISIT WWW.SERVICEONTARIO.CA. FOR COURT LOCATIONS, PLEASE VISIT WWW.ATTORNEYGENERAL.JUS.GOV.ON.CA. QUESTIONS REGARDING FINES MUST BE MADE AT THE APPROPRIATE MUNICIPAL OR CRIMINAL COURT OFFICE.

NOTE: ONCE PAYMENT IS MADE THROUGH SERVICEONTARIO, YOUR DRIVER RECORD WILL BE UPDATED IMMEDIATELY. PAYMENTS MADE TO A COURT OFFICE WILL TAKE A MINIMUM OF 4 DAYS TO UPDATE YOUR DRIVER RECORD.

STOP DRIVING. YOU MUST NOT DRIVE WHILE YOU ARE SUSPENDED. YOU MUST RETURN YOUR DRIVER'S LICENCE TO THIS MINISTRY. READ THE BACK OF THIS NOTICE FOR MORE INFORMATION.

REINSTATEMENT FEE OR MONETARY PENALTY: DUE TO YOUR SUSPENSIONS(S), YOU MUST PAY A \$198 FEE OR PENALTY TO OBTAIN A LICENCE AFTER YOUR SUSPENSION(S) ENDS. PAYMENT OF THIS FEE CAN BE MADE ONLINE AT WWW.SERVICEONTARIO.CA OR A SERVICEONTARIO CENTRE.

SUSP016000

Please see reverse side for important information / Veuillez lire les renseignements importants au verso.

VOTRE PERMIS DE CONDUIRE EST SUSPENDU AUX TERMES DE L'ARTICLE 46 DU CODE DE LA ROUTE EN RAISON DU NON-PAIEMENT D'AMENDES EN DATE DU 29 MARS 2017. LA SUSPENSION DE VOTRE PERMIS AURA UNE INCIDENCE SUR VOTRE CARTE-PHOTO COMBINEE, CONNUE SOUS L'APPELLATION DE "PERMIS DE CONDUIRE PLUS", SI VOUS EN ÊTES LE DÉTENTEUR. DE PLUS VOUS POURRIEZ NE PAS ÊTRE EN MESURE DE PROCÉDER À CERTAINES OPÉRATIONS LIÉES À VOTRE VÉHICULE (P. EX. RENOUELEMENT DE VOTRE PLAQUE D'IMMATICULATION).

VOTRE PERMIS RESTERA SUSPENDU, ET VOUS POURRIEZ NE PAS ÊTRE EN MESURE DE PROCÉDER À CERTAINES OPÉRATIONS LIÉES À VOTRE VÉHICULE (P. EX. RENOUELEMENT DE VOTRE PLAQUE D'IMMATICULATION) JUSQU'AU PAIEMENT DE TOUTES LES AMENDES DUES.

PAIEMENTS D'AMENDES:
VOUS POUVEZ LES FAIRE EN LIGNE À WWW.SERVICEONTARIO.CA OU EN PERSONNE À UN CENTRE SERVICEONTARIO OU À VOTRE BUREAU MUNICIPAL OU AU BUREAU PERTINENT DE LA COUR CRIMINELLE. POUR CONNAÎTRE L'EMPLACEMENT DES CENTRES SERVICEONTARIO, VEUILLEZ CONSULTER LE SITE WWW.SERVICEONTARIO.CA. POUR CONNAÎTRE L'EMPLACEMENT DES TRIBUNAUX, VEUILLEZ CONSULTER LE SITE WWW.ATTORNEYGENERAL.JUS.GOV.ON.CA. SI VOUS AVEZ DES QUESTIONS AU SUJET DES AMENDES, VOUS DEVEZ COMMUNIQUER AVEC VOTRE BUREAU MUNICIPAL OU LE BUREAU PERTINENT DE LA COUR CRIMINELLE.

NOTA: UNE FOIS QUE VOUS AUREZ EFFECTUÉ VOTRE PAIEMENT PAR L'INTERMÉDIAIRE DE SERVICEONTARIO, VOTRE DOSSIER DE CONDUITE SERA MIS À JOUR AUTOMATIQUÉMENT. DANS LE CAS DES PAIEMENTS FAITS AU BUREAU DE LA COUR, LA MISE À JOUR DU DOSSIER DE CONDUITE S'ÉTENDRA SUR AU MOINS QUATRE JOURS.

CESSEZ DE CONDUIRE. VOUS NE DEVEZ PAS CONDUIRE PENDANT QUE VOTRE PERMIS EST SUSPENDU. VOUS DEVEZ RETOURNER VOTRE PERMIS DE CONDUIRE AU MINISTÈRE. POUR EN SAVOIR PLUS, LISEZ LE VERSO DU PRÉSENT AVIS.

FRAIS DE RÉTABLISSEMENT DU PERMIS DE CONDUIRE OU PÉNALITÉ: EN RAISON DE LA SUSPENSION DE VOTRE PERMIS DE CONDUIRE, VOUS DEVEZ VERSER UNE PÉNALITÉ OU UNE AMENDE 198 \$ POUR OBTENIR UN PERMIS À LA FIN DE CETTE SUSPENSION. VOUS POUVEZ PAYER CETTE SOMME EN LIGNE À WWW.SERVICEONTARIO.CA OU DANS UN CENTRE SERVICEONTARIO.

JANET DADUFALZA
DEPUTY REGISTRAR OF MOTOR VEHICLES
REGISTRATEUR ADJOINT DES VÉHICULES
AUTOMOBILES

SP-1083 2009-04-04/2004-FPM/2008-Avg 11/11

What All Suspended Drivers Must Do

- 1. Stop driving** - You must not drive while you are suspended. Driving while suspended can also lead to vehicle impoundment, fines (\$1,000 to \$50,000), jail time and further licence suspension.
- 2. Return your Ontario Driver's Licence** (unless instructed to keep your licence card on the front of this notice):
 - In person at any ServiceOntario Centre, or
 - By mail to: Ministry of Transportation
Driver Improvement Office
Driver Control Section
77 Wellesley Street West, Box 871
Toronto ON M7A 1N3
- 3. Read the front of this suspension notice carefully** and/or contact the Ministry of Transportation for more information on getting your licence back.
- 4. Pay your reinstatement fee and/or monetary penalty** if noted on the front of this notice or your licence will be cancelled without further notice.

Suspended for Criminal Code Conviction

Ignition Interlock - If an ignition interlock condition appears on the front of this notice, you may drive a motor vehicle with an approved ignition interlock device only when your suspension(s) end.

Remedial Measures Program - If the front of this notice says you must complete the impaired driving program, all three components must be completed, including the follow-up interview, before your licence can be reinstated. This program takes 11 months to complete.

If the front of this notice says you must complete a driver improvement interview, you must complete this interview and any requirements from the interview, before your licence can be reinstated.

Lifetime Suspensions (for third driving-related criminal conviction) - You may apply for reinstatement after 10 years if you have no convictions for driving under suspension and satisfy other requirements. A fourth suspension will not be reinstated.

Pay Your Monetary Penalties and Fees

Pay by cash, money order, Visa, MasterCard or cheque:

- a. Pay online** at www.ServiceOntario.ca
- b. Pay in person** at any ServiceOntario Centre: To find the nearest location visit www.ServiceOntario.ca or call ServiceOntario at (416) 235-2999 or 1-800-387-3445 (within Canada).
- c. Pay by mail** by sending cheque or money order (NO CASH) to ServiceOntario, P.O. Box 9100, Kingston, ON K7L 5K3.

If payment is made in person, personal cheques must be certified and made payable to the Minister of Finance. Please write your driver's licence number and the words "Reinstatement Fee/Penalty" on your cheque or money order.

If you don't pay your fees/monetary penalty your driver's licence will be cancelled and a licence cannot be issued until they are paid.

If your driver's licence is suspended, cancelled and/or expired for more than one year you will be required to complete vision, knowledge and/or road test(s), in addition to any other outstanding licensing requirements, before a licence will be issued. It is illegal to drive without a valid driver's licence.

For more information visit www.ServiceOntario.ca, or call ServiceOntario at 416-235-2999 or 1-800-387-3445 (within Canada).

Vehicle Impoundment (Highway Traffic Act S. 55.1 and 55.2)

If you drive while under suspension the vehicle will be impounded immediately, regardless of who owns the vehicle.

- If you are suspended for a Criminal Code conviction, the vehicle will be impounded for 45, 90 or 180 days.
- If you are suspended under the Highway Traffic Act for other reasons, the vehicle can be impounded for 7 days.

Ce que toutes les personnes dont le permis a été suspendu doivent faire

- 1. Arrêtez de conduire** - Vous ne devez pas conduire pendant que votre permis est suspendu. Conduire alors que l'on fait l'objet d'une suspension de permis peut également donner lieu à la mise en fourrière du véhicule, à des amendes (de 1 000 \$ à 50 000 \$), à une suspension supplémentaire du permis ou même à l'emprisonnement.
- 2. Retournez votre permis de conduire de l'Ontario** (sauf si le recto du présent avis vous indique de garder la carte de votre permis de conduire):
 - En personne à n'importe quel centre ServiceOntario, ou
 - Par la poste au:
Ministère des Transports
Bureau de perfectionnement en conduite automobile
Section de la surveillance de la conduite automobile
77, rue Wellesley Ouest, C.P. 671
Toronto ON M7A 1N3
- 3. Lisez attentivement le recto de l'avis de suspension** et/ou contactez le ministère des Transports pour de plus amples renseignements sur la marche à suivre pour avoir votre permis de nouveau.
- 4. Payez le droit de rétablissement et/ou toute pénalité monétaire** si cela est indiqué sur le recto du présent avis, sinon votre permis sera annulé sans aucun préavis.

Suspensions pour infraction au Code criminel

Antidémarrageurs - Si un message concernant les antidémarrageurs figure au recto du présent avis, vous pouvez conduire un véhicule muni d'un antidémarrageur approuvé uniquement à la fin de la période de suspension.

Programme de mesures correctives - Si l'information au recto du présent avis indique que vous devez compléter le programme à l'intention des personnes reconnues coupables de conduite en état d'ivresse, vous devez compléter les trois composantes, y compris l'entrevue de suivi, avant que votre permis ne soit rétabli. Ce programme est d'une durée de 11 mois.

Si l'information au recto du présent avis indique que vous devez compléter une entrevue portant sur le perfectionnement en conduite automobile, vous devez compléter cette entrevue ainsi que toutes les conditions qu'elle prévoit, avant la remise en vigueur du permis.

Suspensions à vie (pour la troisième condamnation criminelle relative à la conduite automobile). Vous pouvez présenter une demande de rétablissement après 10 ans si vous n'avez aucune déclaration de culpabilité relative à la conduite pendant la période de suspension et si vous répondez à d'autres conditions. Le permis n'est pas rétabli en cas de la quatrième suspension.

Paiement des amendes et des frais

Paiement en espèces, par mandat, par carte Visa ou MasterCard ou par chèque:

- a. Paiement en ligne** à l'adresse www.ServiceOntario.ca
- b. Paiement en personne dans un centre ServiceOntario** : pour trouver le centre le plus proche de chez vous, veuillez consulter le site www.ServiceOntario.ca ou appeler ServiceOntario au 416 235-2999 ou au 1 800 387-3445 (partout au Canada).
- c. Paiement par chèque ou mandat envoyé par courrier** (PAS D'ESPÈCES) à : ServiceOntario, C.P. 9100, Kingston (Ontario) K7L 5K3

Si le paiement est effectué en personne, les chèques personnels doivent être visés et établis à l'ordre du ministre des Finances. Veuillez inscrire votre numéro de permis de conduire et la mention « Amende et frais de rétablissement » sur le chèque ou mandat.

Si vous ne payez pas les droits ou vos amendes, votre permis de conduire sera annulé et vous ne pourrez pas le faire rétablir avant d'avoir payé vos amendes.

Si votre permis de conduire est suspendu, annulé ou expiré depuis un an, vous devrez subir à un examen de la vue, par écrit et sur la route, en plus de satisfaire à toutes les autres conditions rattachées à la délivrance du permis avant qu'un permis vous soit délivré. Il est illégal de conduire sans permis de conduire valide.

Pour en savoir plus, visiter le site sur www.ServiceOntario.ca, ou téléphonez à ServiceOntario au 416 235-2999 ou au 1 800 387-3445 (au Canada).

Mise en fourrière d'un véhicule (articles 55.1 et 55.2 du Code de la route)

Si vous conduisez alors que votre permis est suspendu, le véhicule sera immédiatement mis en fourrière, quel qu'en soit le propriétaire.

- Si vous faites l'objet d'une suspension de permis en raison d'une condamnation pour une infraction au Code criminel, le véhicule sera immédiatement mis en fourrière pour 45, 90 ou 180 jours.
- Si vous faites l'objet d'une suspension de permis en vertu du Code de la route pour d'autres motifs, le véhicule pourra être mis en fourrière pour sept jours.



Ministry of Transportation
Driver Improvement Office
Driver Control Section
77 Wellesley Street West, Box 671
Toronto ON M7A 1N3

Ministère des Transports
Bureau de perfectionnement en conduite automobile
Section de la surveillance de la conduite automobile
77, rue Wellesley Ouest, C.P. 671
Toronto ON M7A 1N3

**Notice of Outstanding
Licensing Requirements
Permis de Conduire - Avis
de Montant en Souffrance**

GM** 19

Tel. (416) [REDACTED]
Tel. 1 - [REDACTED] 93

Temporary Driver's Licence Number / Permis de conduire temporaire
Issued pursuant to the Highway Traffic Act / délivré en vertu du Code de la route

W1349799

Date of Issue
Date de délivrance
Y/A M/DJ
2017/03/31

NEW, DRIVER, POA
87 SIR WILLIAM HEARST
TORONTO ONT.
M3M 0B4

This permit is not valid until the date of issue shown.
Ce permis n'est pas valide avant la date de délivrance indiquée.

| Date of Birth Date de naissance Y/A M/DJ | Height Taille | Sex Sexe | Class Cat. | Cond. End Resl./Aut. |
|------------------------------------------------|------------------|-------------|---------------|-------------------------|
| [REDACTED] 04 | 188 | M | GM** | *** / *** |

Driver's Licence Number / Numéro du permis de conduire

N29 [REDACTED]

Expiry Date
Date d'expiration
Y/A M/DJ
2017/05/30

This licence must be signed and carried by the driver.
Ce permis doit être signé et porté par le conducteur.

Ministry of Transportation
Ministère des Transports

Licencee's Signature / Signature du titulaire

Reference or Driver's Licence Number
Numéro de référence ou du permis de conduire
N29 [REDACTED] 4

Sex
Sexe
MALE/HOMME

Date of Birth / Date de naissance
Y/A M/DJ
[REDACTED] 04

Suspension Number
Numéro de suspension
700 [REDACTED]

Tests Required / Examen exigés

Road
Pratique

Inside
Théorique

Driver's Lic.
Permis de conduire

Renewal App.
Dem. de renouvellement

Test Req'd.
Renouvel. App.
Examen exigés
Dem. de renouvellement

Serial / Numéro
W134 [REDACTED]

BASED ON YOUR DRIVING RECORD WITH THE
MINISTRY OF TRANSPORTATION ON MAR. 31,
2017, YOUR LICENCE SUSPENSION ENDED AT
08:36 AM ON MAR. 30, 2017. DO NOT CUT
OR TEAR THIS NOTICE. IT IS NOT VALID IF
ALTERED IN ANY WAY.

A REPLACEMENT DRIVER'S LICENCE WILL BE
MAILED TO YOU SEPARATELY.

READ THE BACK OF THIS NOTICE FOR MORE
INFORMATION.

D'APRÈS LES RENSEIGNEMENTS FIGURANT DANS
VOTRE DOSSIER DE CONDUCTEUR LE 31 MARS
2017, LA SUSPENSION DE VOTRE PERMIS DE
CONDUIRE A PRIS FIN À 08:36 HEURES LE
30 MARS 2017. NE PAS COUPER NI DÉCHIRER
LE PRÉSENT AVIS. IL NE SERA PAS VALIDE
S'IL A ÉTÉ ALTÉRÉ DE QUELQUE FAÇON.

UN NOUVEAU PERMIS DE CONDUIRE VOUS SERA
ENVOYÉ SOUS PLI SÉPARÉ.

POUR EN SAVOIR PLUS, LISEZ LE VERSO DU
PRÉSENT AVIS.

REINM10H00

SFLC-48-00-10 (01/17) RECOS/PP AUT/ECOS Aug 12/2015

If the front of this notice indicates that you must complete the Remedial Education or Treatment Program, contact the Centre for Addiction and Mental Health at 1-888-814-5831 (in Toronto 416-595-6593).

Si un avis indiquant que vous devez suivre le programme correctif d'éducation ou traitement est joint au présent document, communiquez avec le Centre de toxicomanie et de santé mentale, au 1 888 814-5831 ou au 416 595 6593.

| Condition (Cond.) & Endorsement (End.) Codes | Codes des restrictions (restr.) et autorisations (aut.) |
|----------------------------------------------|---------------------------------------------------------|
| | |

Tests Required

If the front of this notice indicates that you must pass a test(s), visit www.ServiceOntario.ca for test locations, fees and how to book road test appointments. You can call ServiceOntario at (416) 235-2999 or 1-800-387-3445 (within Canada). Bring personal ID. If a temporary licence is attached, you must pass the test before the expiry date of the temporary licence. If you do not pass the test by that date, your licence will be cancelled without further notice.

Photo Required

If the front of this notice indicates a photo is required, you must have your photo taken before the expiry date of your temporary licence. If your photo is not taken by that date, your licence will be cancelled without further notice.

Pay Your Monetary Penalties and Fees

Pay by cash, money order, Visa, MasterCard or cheque:

If payment is made in person, personal cheques must be certified and made payable to the Minister of Finance. Please write your driver's licence number and the words "Reinstatement Fee/Penalty" on your cheque or money order.

- a. Pay online at www.ServiceOntario.ca
- b. Pay in person at any ServiceOntario Centre: To find the nearest location visit www.ServiceOntario.ca or call ServiceOntario at (416) 235-2999 or 1-800-387-3445 (within Canada).
- c. Pay by mail by sending cheque or money order (NO CASH) to ServiceOntario, P.O. Box 9100, Kingston, ON K7L 5K3.

Attention: A new licence will not be issued until your reinstatement fee/penalty is paid. If a temporary driver's licence is attached you must pay before it expires or your licence will be cancelled without further notice. Licence invalidity will extend the length of your mandatory period if you are a novice driver. It is illegal to drive without a valid driver's licence.

In addition to any other licensing requirements, you will have to complete testing if your driver's licence is suspended, cancelled and/or expired for:

- More than one year - vision test required
- More than three years - vision, knowledge and road test(s) required. After 10 years mandatory Graduated Licensing System periods will apply.

For more information visit www.ServiceOntario.ca, or call ServiceOntario at 416-235-2999 or 1-800-387-3445 (within Canada).

Examens exigés

Si le recto du présent avis indique que vous devez passer un ou des examens, visitez le site www.ServiceOntario.ca pour connaître les adresses de point de service, les droits et la façon de prendre rendez-vous pour un examen pratique sur route. Téléphonnez à ServiceOntario au 416 235-2999 ou au 1 800 387-3445 (au Canada). Apportez vos pièces d'identité. Si un permis temporaire est joint, vous devez réussir l'examen avant la date d'échéance du permis temporaire. Si vous n'avez pas réussi l'examen à cette date, votre permis sera annulé sans autre préavis.

Photo exigée

Si le recto du présent avis indique qu'une photo est exigée, vous devez faire prendre votre photo avant la date d'échéance de votre permis temporaire. Sinon, votre permis de conduire sera annulé. Si vous n'avez pas fait prendre votre photo à cette date, votre permis sera annulé sans autre préavis.

Paiement des amendes et des frais

Paiement en espèces, par mandat, par carte Visa ou MasterCard ou par chèque :

Si le paiement est effectué en personne, les chèques personnels doivent être visés et établis à l'ordre du ministre des Finances. Veuillez inscrire votre numéro de permis de conduire et la mention « Amende et frais de rétablissement » sur le chèque ou mandat.

- a. Paiement en ligne à l'adresse www.ServiceOntario.ca
- b. Paiement en personne dans un centre ServiceOntario : pour trouver le centre le plus proche de chez vous, veuillez consulter le site www.ServiceOntario.ca ou appeler ServiceOntario au 416 235-2999 ou au 1 800 387-3445 (partout au Canada).
- c. Paiement par chèque ou mandat envoyé par courrier (PAS D'ESPÈCES) à : ServiceOntario, C.P. 9100, Kingston (Ontario) K7L 5K3

Attention : Aucun nouveau permis ne sera délivré avant que vous ayez payé les frais de rétablissement / la pénalité. Si un permis de conduire temporaire est joint, vous devez le payer avant son expiration ou votre permis sera annulé sans avis supplémentaire. L'invalidité du permis prolongera la durée de votre période obligatoire si vous êtes un conducteur débutant. Il est illégal de conduire sans détenir un permis de conduire valide.

En plus de toute autre exigence d'obtention d'un permis, vous devrez passer un examen si votre permis de conduire est suspendu, annulé et (ou) expiré depuis :

- plus d'un an - examen de la vue requis;
- plus de trois ans - examen(s) de la vue, théorique et pratique requis. Après 10 ans, les périodes obligatoires du système de délivrance graduelle des permis s'appliqueront.

Pour en savoir plus, visitez le site sur www.ServiceOntario.ca, ou téléphonez à ServiceOntario au 416 235-2999 ou au 1 800 387-3445 (au Canada).

**Appendix B:
Response from Ministry of Transportation**

SUSPENDED STATE



Office of the Ombudsman of Ontario
Bell Trinity Square
483 Bay Street, 10th Floor, South Tower
Toronto, Ontario
M5G 2C9

www.ombudsman.on.ca
1-800-263-1830

Facebook:
Ontario Ombudsman

Twitter:
@Ont_Ombudsman
@Ont_OmbudsmanFR