

Suspended State

Opening Remarks – Paul Dubé

Good afternoon, to all of you here, and those watching via webcast. Thank you for your interest in today's report.

This investigation uncovered serious problems in the way the Ministry of Transportation communicates with drivers whose licences are suspended for unpaid fines. We found that its systems are complex and cumbersome, and its customer service is lacking, generating hundreds of complaints to our office.

But perhaps the best way to understand these issues is to put yourself in the shoes of the drivers whose stories we tell in this report.

Imagine getting a ticket for a traffic offence – like having an obstructed licence plate, not wearing a seatbelt, or failing to signal a turn – and paying that fine, only to find out months or years later that your driver's licence was suspended because you did not pay a reinstatement fee.

Imagine you never received notice that your licence was suspended – or cancelled. Which means you've unknowingly been driving with an invalid licence.

And then imagine finding out that the only way you can get your licence back is to start from scratch, to requalify as a driver. You may not have insurance coverage if you've been in an accident. Now you have to go through the graduated licencing program. You may have been driving for 30 years, but because your licence was cancelled for more than three years, you have to re-take – and pay for – the same vision, knowledge and road tests that novice drivers take.

We heard from many drivers in this situation – more than 200 in the past five years. In fact, every year about 90,000 Ontario drivers have their licences suspended for unpaid fines, and in 2017, an estimated 5,000 of the notices that were mailed to them were returned to the Ministry undelivered.

My office has alerted the Ministry to several of these issues for years, and it did make some changes. But complaints continued. So, last year, I decided to launch a systemic investigation, in the interest of finding constructive solutions.

One key problem we found was the Ministry's reliance on regular mail. Once we prompted them to track it closely, they determined that thousands of the suspension notices they send to drivers are returned, undelivered, every year. But the Ministry doesn't track returned mail, so it has no record of which drivers didn't get their notices.

Even when the system works as intended, we found it is fundamentally flawed. First, drivers are only warned that they "may" have their licence suspended if they don't pay their fine, not that it "will" happen. Second, suspension notices are actually mailed on the same day they take effect. That means many people are unwittingly driving with a suspended licence during the time their notice is in the mail. There is

no advance notice or grace period – by the time they receive it, it is a *fait accompli*, and they must pay a reinstatement fee to restore their licence.

On top of all this, the forms the Ministry sends are just plain confusing. You might receive a “Notice of Outstanding Licensing Requirements” even though you have no outstanding requirements at all.

Many of the people we spoke to had paid their traffic fines. But their licences were cancelled because they failed to pay the \$198 licence reinstatement fee – because they just weren’t aware of it.

And when they tried to complain or sort things out with the Ministry or ServiceOntario, many of them got a runaround, or confusing information, or no information at all. One woman who struggled to pay her reinstatement fee was crushed to learn she still couldn’t get her licence back until she paid hundreds more dollars for graduated licensing tests. As she put it, that’s “a pretty mean trick.”

What we found could be summed up as another example of segmented bureaucracy. Although the municipal courts, the Ministry of Transportation, the Ministry of the Attorney General, and ServiceOntario are ostensibly “partners,” the information they share with one another and the public is limited. My recommendations encourage them to establish a real one-stop shop where drivers can have all their questions answered and problems resolved.

These are precisely the types of bureaucratic issues that my office was designed to address. We can look into a confusing system with fresh eyes, and propose constructive solutions, for the benefit of drivers and the public servants alike.

In this case, we identified several opportunities for the Ministry to focus on customer service principles – and to leverage technology, such as using email or text messages to notify suspended drivers, creating an online portal to provide drivers with information about their licence status, and recoding phone enquiries for quality assurance purposes.

I’m pleased to say that the Ministry has already started work on most of my 42 recommendations. I am satisfied with the Ministry’s response, and will monitor any outstanding issues as it implements these improvements.

Now I’d be happy to answer your questions.