

Motor Vehicle Restriction and Driver's Licence Suspension

Motor vehicle restrictions and driver's licence suspensions are tools used by the Maintenance Enforcement Program (MEP) to encourage debtors to pay their court-ordered maintenance. These enforcement actions are used when debtors have arrears (outstanding support payments) and have not made a payment arrangement with MEP to make up these payments. Debtors are encouraged to contact MEP quickly if they miss a payment. By making and keeping payment arrangements with MEP, debtors can avoid enforcement actions or negotiate to have them removed.

Motor Vehicle Restriction

MEP places a full motor vehicle restriction when a debtor owes support arrears of at least \$100 for more than 30 days.

A **full motor vehicle restriction** prevents a debtor from obtaining motor vehicle services provided by the Alberta government through private Registry Agents. It does not cancel or suspend the driver's licence or vehicle registration, but it prevents the debtor from renewing their licence and registration when their current ones expire. It also prevents the debtor from obtaining in-transit permits, or transferring ownership of vehicles to their name.

A full motor vehicle restriction also prevents a debtor from obtaining photo ID, driver's abstracts, and disabled parking placards. However, a debtor who has a licence restriction and needs any of these items can advise MEP, and MEP will remove the restriction on these items.

Partial motor vehicle restrictions were discontinued on April 30, 2017. This allowed a debtor to use all motor vehicle registry services, including renewing a driver's licence or vehicle registration, for only one year. Any debtor who has a partial restriction in place should contact MEP. MEP will remove the partial restriction when there are no support arrears, or there is a payment arrangement in place for any arrears.

Driver's Licence Suspension

MEP begins the process to place a **driver's licence suspension** when a debtor owes support arrears of at least \$100 for more than 60 days. Prior to placing the suspension, two warning letters are sent to the debtor asking for a payment arrangement. The first warning is sent by MEP to the debtor's address in MEP's records. The second warning is sent by Alberta Transportation to the address they have for the debtor in their records.

A driver's licence suspension makes a debtor's Alberta driver's licence invalid, so the debtor cannot legally drive a vehicle. Suspensions show clearly on driver's abstracts.

Section 95(1) of Alberta's *Traffic Safety Act* states the penalties for driving in Alberta with a

suspended operator's licence are:

- For a first offence, a maximum penalty of \$2,000. If the penalty is not paid, the person can be jailed for 14 days to six months.
- For each subsequent offence committed within one year, jail time of 14 days to six months.

Removing a Motor Vehicle Restriction or Driver's Licence Suspension

A debtor who wants motor vehicle enforcement removed should contact MEP to make a payment arrangement. To make a payment arrangement, the debtor must complete a *Statement of Finances*. This sworn or affirmed statement provides information about the debtor's income, employment, assets, and expenses, and helps MEP negotiate a reasonable payment arrangement. For more information, see MEP's information sheet *Statement of Finances*.

Prior to removing motor vehicle enforcement, MEP may require any of the following:

- Up to 3 payments under a payment arrangement;
- Authorized bank withdrawal or a Wage Support Deduction Notice for ongoing payments;
- Confirmation from the debtor's employer or potential employer that they will pay MEP according to a Wage Support Deduction Notice;
- Confirmation from the debtor's employer or potential employer that the debtor requires a valid driver's licence for the job; or
- Information from the debtor that confirms the debtor has special circumstances that may warrant removal of the enforcement, such as medical issues or unemployment.

It may take up to 14 days for MEP to remove any motor vehicle enforcement action. Debtors are encouraged to monitor their MEP files using *MEP Accounts Online* or the *MEP Info Line* to confirm MEP has removed the enforcement action.

MEP's release of a driver's licence suspension does not make the driver's licence valid.

After MEP removes a driver's licence suspension, a debtor must visit a Registry Agent to obtain a new valid licence. The Registry Agent will advise if there are other suspensions or outstanding matters affecting the driver's licence. The Registry Agent will also advise of other requirements to obtain a valid licence, including payment of a reinstatement fee. A debtor whose licence was suspended for more than one year may also need to contact Driver Fitness and Monitoring.

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| <ul style="list-style-type: none">• MEP has other Information Sheets, on a variety of helpful topics. To see them, visit MEP's website at www.albertamep.gov.ab.ca.• To contact MEP, phone 780-422-5555 or toll-free in Alberta at 310-0000.• To view information about your MEP file, log in to <i>MEP Accounts Online</i> on MEP's website and select "Account login". |
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