




POLICY STATEMENT

TITLE	Registrar's Reconsideration - Carrier Programs	
Version Number 1		Effective Date December 1, 2020
Purpose	<ol style="list-style-type: none"> 1. The Registrar makes decisions relating to the operation of commercial vehicles. 2. This policy applies to an application for reconsideration by the Registrar: <ol style="list-style-type: none"> (a) By a person with respect to the refusal, suspension, cancellation, terms and conditions of approval of a permit issued by the Registrar; (b) By a carrier with respect to the refusal, suspension, cancellation, terms and conditions of approval of an Operating Authority Certificate (OAC) or Safety Fitness Certificate (SFC); (c) By a carrier with respect to changes to the carrier's Safety Fitness Rating (SFR). <p><i>Traffic Safety Act – sections 34(1)(a) and 34(1)(k)</i></p>	
Principles	Commercial vehicle carriers must be required to operate in a safe condition.	
Criteria		
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for reconsideration of the decision of the Registrar relating to a permit, OAC, SFC, or SFR must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 	
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate an Oral review or a Written review: <ol style="list-style-type: none"> (a) The completed application form; (b) The decision issued by the Registrar; (c) A detailed narrative of the issue that is the subject of the appeal; (d) Any relevant sworn or solemnly affirmed statement(s); (e) Any other relevant information. 	
<i>Considerations</i>	<ol style="list-style-type: none"> 3. The Registrar will consider the following in determining the 	

TITLE	Registrar's Reconsideration - Carrier Programs
	<p>application for reconsideration:</p> <ul style="list-style-type: none"> (a) Information received from the applicant; (b) In the case of an Oral review, any relevant evidence and information presented at the hearing; (c) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
<i>Decision</i>	<p>4. The Registrar may make one of the following decisions:</p> <ul style="list-style-type: none"> (a) Confirm, cancel or vary the Registrar's decision or action; (b) Set aside the decision made or action taken by the Registrar, and make any decision or take any action with any terms and conditions that the Registrar is empowered to take on such a matter under the TSA.
Reference	<p><i>Traffic Safety Act</i> - sections 62 and 132</p> <p>Commercial Vehicle Certificate and Insurance Regulation (AR314/2002) - sections 6, 13, 14, 15(2), 22, 35, 36(1), 36.4(2), 37(1)(h), 51, and 51.1</p>
Approved by	 <p>The seal is circular with a serrated outer edge. It features a central shield with a landscape scene including mountains, a river, and a field. Above the shield is a banner with the text 'REGISTRAR OF' and below it is another banner with 'MOTOR VEHICLE SERVICES'.</p>

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

Section 34(1)(a) TSA

Registrar's decision to suspend, cancel, refuse to issue a permit, or to impose a term or condition to which a permit is subject.

- Audit/Investigation reports
- Carrier profile
- Drivers abstract
- Peace Officer notes/occurrence reports
- Letters from the Registrar
- SFC ratings
- Risk-factor monitoring reports

- Witness statements and complaints
- Corporate registry records
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)
- Permits and permit inspection results

Section 34(1)(k)(i) TSA

Registrar's decision to refuse to issue a Safety Fitness Certificate or Operating Authority Certificate.

(Note to draft: Please list materials related to this ground of reconsideration.)

- Audit/Investigation reports
- Carrier profile
- Drivers abstract
- Peace Officer notes/occurrence reports
- Letters from the Registrar
- SFC ratings
- Risk-factor monitoring reports
- Witness statements and complaints
- Corporate registry records
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)
- Permits and permit inspection results

Section 34(1)(k)(ii) TSA

Registrar's decision to impose a term or condition on a Safety Fitness Certificate.

(Note to draft: Please list materials related to this ground of reconsideration.)

- Audit/Investigation reports
- Carrier profile
- Drivers abstract
- Peace Officer notes/occurrence reports
- Letters from the Registrar
- SFC ratings
- Risk-factor monitoring reports
- Witness statements and complaints
- Corporate registry records
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)
- Permits and permit inspection results

Section 34(1)(k)(iii) TSA

Registrar's decision suspending or cancelling a Safety Fitness Certificate.

(Note to draft: Please list materials related to this ground of reconsideration.)

- Audit/Investigation reports
- Carrier profile
- Drivers abstract
- Peace Officer notes/occurrence reports
- Letters from the Registrar
- SFC ratings
- Risk-factor monitoring reports
- Witness statements and complaints
- Corporate registry records
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)
- Permits and permit inspection results

Section 34(1)(k)(iv) TSA

Registrar's decision making an order changing the safety rating of a carrier.

(Note to draft: Please list materials related to this ground of reconsideration.)

- Audit/Investigation reports
- Carrier profile
- Drivers abstract
- Peace Officer notes/occurrence reports
- Letters from the Registrar
- SFC ratings
- Risk-factor monitoring reports
- Witness statements and complaints
- Corporate registry records
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)
- Permits and permit inspection results



POLICY STATEMENT

TITLE	Registrar's Reconsideration - Administrative Penalty	
Version Number 1		Effective Date December 1, 2020
Purpose	<ol style="list-style-type: none"> 1. The Registrar may apply an administrative penalty on a "regulated person" as defined in section 143 of the TSA with respect to the operation of certain activities under the TSA. 2. The Registrar may apply an administrative penalty on a transportation network company with respect to the operation of certain activities under the TSA. 3. This policy applies to an application for reconsideration of an administrative penalty levied by: <ol style="list-style-type: none"> (a) The Registrar against a "regulated person" as defined in section 143 of the TSA; (b) The Registrar against a transportation network company. <p><i>Traffic Safety Act – sections 34(1)(g) and 34(1)(h)</i></p>	
Principles	An administrative penalty may be levied by the Registrar against a "regulated person" as defined in section 143 of the TSA, or against a transportation network company who breached the operating or administrative requirements under the TSA.	
Criteria		
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for reconsideration of an administrative penalty must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 	
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate an application: <ol style="list-style-type: none"> (a) The completed application form; (b) A copy of the Notice of Administrative Penalty issued by the Registrar; (c) A detailed narrative of the issue that is the subject of the application; (d) Any relevant sworn or solemnly affirmed statement(s); (e) Any other relevant information. 	

TITLE	Registrar’s Reconsideration - Administrative Penalty
<i>Considerations</i>	<p>3. The Registrar will consider the following in determining the application for reconsideration:</p> <ul style="list-style-type: none"> (a) Information received from the applicant; (b) In the case of an Oral review, any relevant evidence and information presented at the hearing; (c) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
<i>Guiding Principles</i>	<p>4. The Registrar may consider the following guiding principles in determining the application for reconsideration:</p> <ul style="list-style-type: none"> (a) The seriousness of the contravention and the degree of risk to people and property, including the potential danger of a collision occurring as a result of the contravention; (b) Past history of contravention(s) by the applicant; (c) The degree of willfulness or neglect on the part of the applicant; (d) Whether or not the applicant: <ul style="list-style-type: none"> • Was the person who notified the Registrar of the contravention, • Made full and frank disclosure of the contravention, and • Can provide an acceptable explanation to justify a reduction or cancellation of the administrative penalty such as steps taken to prevent re-occurrence of the contravention; (e) Guiding policies established by the Registrar.
<i>Decision</i>	<p>5. The Registrar may make one of the following decisions on an application for reconsideration:</p> <ul style="list-style-type: none"> (a) Confirm, cancel or vary the Registrar’s decision or action; (b) Set aside the decision made or action taken by the Registrar, and make any decision or take any action with any terms and conditions that the Registrar is empowered to take with respect to administrative penalties under the <i>Traffic Safety Act</i>.
Reference	<p><i>Traffic Safety Act</i> – sections 129.2, 143</p> <p>Commercial Vehicle Safety Regulation (AR 121/2009) - sections 41, 42, and 43</p> <p>Transportation Network Companies Regulation (AR 100/2016) sections 6 and 7</p> <p>Vehicle Inspection Regulation (AR 211/2006) - sections 69, 70 and 71</p>

TITLE	Registrar's Reconsideration - Administrative Penalty
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

Section 34(1)(g) TSA

Decision or action taken by the Registrar under Section 143 to require a “regulated person” to pay an administrative penalty

- SFC status/rating
- Permits and permit inspection results
- Carrier profile
- Previous administrative penalties
- Audit/Investigation reports
- GoA carrier letters / notices, Condition letters, etc.
- Inspection reports (compliance check list / results),
- Commercial Vehicle Inspection Report (CVIR),
- Commercial Vehicle Inspection Program (CVIP) reports,
- Enforcement documents (e.g. occurrence reports from officers, ticket notes, etc.)
- Peace Officer/Inspector notes or reports
- Complaints and witness statements
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)

Section 34(1)(h) TSA

Decision or action taken by the Registrar under Section 129.2 to require a transportation network company to pay an administrative penalty.

- SFC status/rating
- Permits and permit inspection results
- Carrier profile

- Previous administrative penalties
- Audit/Investigation reports
- GoA carrier letters / notices, Condition letters, etc.
- Inspection reports (compliance check list / results),
- Commercial Vehicle Inspection Report (CVIR),
- Commercial Vehicle Inspection Program (CVIP) reports,
- Enforcement documents (e.g. occurrence reports from officers, ticket notes, etc.)
- Peace Officer/Inspector notes or reports
- Complaints and witness statements
- Records from other jurisdictions (e.g. abstract, carrier profile, sanctions, etc.)

Local/Municipal licensing requirements/sanctions

POLICY STATEMENT

TITLE	Registrar’s Reconsideration - Driver Training And Examination Programs	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>This policy applies to an application for reconsideration of the decision of the Registrar by a driver training school, a driver examiner, and a driving instructor with respect to license refusal, warning, administrative penalty, suspension, cancellation, terms and conditions of approval, and direction on practice.</p> <p><i>Traffic Safety Act – section 34(1)(i)</i></p>	
Principles	<p>The conduct, equipment, and facility of a driver training school, driver examiner, or driving instructor must meet the legislative requirements to ensure the interest of the consumers as well as the safety of the general public are protected.</p>	
Criteria		
<i>Application Form</i>	1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review.	
<i>Applicant’s Information</i>	<p>2. The applicant must submit the following to the Registrar to initiate a hearing:</p> <ul style="list-style-type: none"> (a) The completed application form for an Oral review or a Written review, as the case may be; (b) The decision issued by the Registrar; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; (e) Any other relevant information. 	
<i>Decision</i>	<p>3. The Registrar may make one of the following decisions:</p> <ul style="list-style-type: none"> (a) Confirm, cancel or vary the Registrar’s decision or action; (b) Set aside the decision made or action taken by the Registrar, and make any decision or take any action with any terms and conditions that the Registrar is empowered to take on such a matter under the TSA 	
Reference	Driver Training and Driver Examination Regulation (AR 316/2002) - section 50	

TITLE	Registrar's Reconsideration - Driver Training And Examination Programs
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

Section 34(1)(i)(i) TSA

Registrar's decision in relation to a person who operates a driver training school:

- Registrar's Reconsideration application form
- A copy of the detailed decision document that was issued to the client
- Reason for the Reconsideration request and any supporting documentation

Section 34(1)(i)(ii) TSA

Registrar's decision in relation to a person who is a driver examiner.

- Registrar's Reconsideration application form
- A copy of the detailed decision document that was issued to the client
- Reason for the Reconsideration request and any supporting documentation

Section 34(1)(i)(iii) TSA

Registrar's decision in relation to a driving instructor.

- Registrar's Reconsideration application form
- A copy of the detailed decision document that was issued to the client
- Reason for the Reconsideration request and any supporting documentation




POLICY NUMBER TS-SCS-DFM-09

POLICY STATEMENT

TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>This policy applies to the reconsideration of the Registrar's decision regarding the imposition of the IIP on a driver who has received an Immediate Roadside Sanction (IRS) for two or more convictions within a 10-year window. The Registrar may, on the expiration of the suspension or disqualification under section 88.1, direct that the reinstatement or issuance of an operator's licence be on the condition the driver participate in the IIP and comply with other terms or conditions imposed by the Registrar.</p> <p><i>Traffic Safety Act – sections 30, 31(c), 32 and 33</i></p>	
Principles	The primary objective of the Registrar's reconsideration is to ensure public safety on Alberta's roadways. The IIP is designed to help an individual separate drinking from driving.	
Criteria		
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. The application must be made within 30 calendar days of the service of the decision. The Registrar does not have jurisdiction to consider applications submitted after 30 calendar days. 	
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a reconsideration: <ol style="list-style-type: none"> (a) The completed application form for an Oral review or a Written review, as the case may be; (b) The initial decision issued by the Registrar directing that the reinstatement or issuance of an operator's licence be on the condition the driver participate in the IIP and comply with other terms or conditions imposed by the Registrar; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; 	

TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)
	(e) Any other relevant information.
<i>Information for Registrar Consideration</i>	<p>3. The Registrar may consider the following information in determining the reconsideration:</p> <ul style="list-style-type: none"> (a) The applicant's driving record and driver's abstract which is the subject of the application; (b) The applicant's collision conviction records, when available; (c) Any relevant documentation and information presented at an Oral review; (d) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
	<p>4. In determining the reconsideration, the Registrar may consider the following issues, where applicable:</p> <ul style="list-style-type: none"> (a) Previous driving offences, demerit points, suspensions, cancellations, disqualifications, accident record, driving skills etc.; (b) <i>Criminal Code</i> (Canada) licence prohibition(s) arising from an offence involving injury or death, dangerous driving, operation while prohibited, criminal negligence, impaired driving, manslaughter etc.; (c) Whether alcohol or drugs, or both, were a factor in the driving offences or accidents committed by the applicant; (d) The applicant's attitude towards and knowledge of the effect of substance use on driving; (e) The applicant's attitude as a responsible driver; (f) The applicant's admission that difficulty is being experienced in the operation of a vehicle; (g) The type of vehicle(s) the applicant operates and the class of licence held; (h) Written comments from the applicant's family, employer, and other relevant sources; (i) Reports or test results received from referral agencies (such as Alberta Health Services/Addiction & Mental Health Counselling (AHS/A&MHC) [previously known as the Alberta Alcohol and Drug Abuse Commission (AADAC)] and driver examiners about the applicant; (j) Record of completion of the remedial actions, tests, or


TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)
	<p>courses required by the Registrar;</p> <p>(k) Summary of the driver's Ignition Interlock Program (IIP) activities;</p> <p>(l) Any other factors/issues considered relevant by the Registrar.</p>
<i>Decision</i>	4. The Registrar may confirm, cancel or vary the Registrar's initial decision or action.
<i>Terms and Conditions</i>	5. When making a decision, the Registrar may include any terms and conditions that the Registrar considers appropriate in the circumstances.
Reference	<i>Traffic Safety Act</i> - sections 30, 31(c), 32, 33, 88.1
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

- Applicant's submission package (submitted on the initial decision)
- Remedial education course completion
- Letters of support or letter of recommendation from regular attending physician, addictions specialist or addiction recovery practitioner
- Certificates of completion from addiction treatment centers/facilities
- Biomarker testing, such as liver enzyme tests
- Driving record or driver's abstract
- Certificate of Analysis from the impaired driving event
- Statutory Declarations that they have not been driving since the last impaired driving event
- Ignition Interlock Program record of activities from the interlock device

POLICY STATEMENT

TITLE	Reconsideration - Driver's Licence Suspension	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>An applicant may apply for reconsideration of a driver's licence suspension to the Registrar under the following circumstances:</p> <ul style="list-style-type: none"> (a) Application pursuant to section 34(1)(b) of the TSA for reconsideration of the Registrar's decision of an immediate driving suspension or disqualification under section 91(4) of the TSA. (b) Application pursuant to section 34(1)(c) of the TSA for reconsideration of the Registrar's refusal to set aside the driver's license suspension or cancellation by reason of the accumulation of demerit points under section 99 of the TSA. <p><i>Traffic Safety Act – sections 34(1)(b), and 34(1)(c)</i></p>	
Principles	<p>The Registrar may disqualify a person from driving a motor vehicle or cancel or suspend the certificate of registration immediately pursuant to section 91(4) of the TSA if the Registrar is of the opinion that the safety of a person or the public is in jeopardy with respect to the operation of a motor vehicle. A person's operator's licence may be suspended or cancelled by reason of the accumulation of demerit points. The reconsideration of the Registrar's suspension is designed to enable an applicant to have his or her driving ability and records assessed to determine if the driving privilege should be restored.</p>	
Criteria		
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 	
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a reconsideration: <ul style="list-style-type: none"> (a) The completed original application form for an Oral review or a Written review, as the case may be; (b) The decision issued by the Registrar; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; (e) Any other relevant information. 	

TITLE	Reconsideration - Driver's Licence Suspension
<i>Information for Registrar Consideration</i>	<p>3. The Registrar will consider the following in determining the application:</p> <ul style="list-style-type: none"> (a) Information received from the applicant; (b) In the case of an Oral review, any relevant information presented at the Oral review; (c) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p> <p>4. The Registrar may take into consideration the applicant's conviction record, driver attitude, driving skills and knowledge, driving disabilities, and any other factors that the Registrar considers relevant.</p>
<i>Decision</i>	<p>5. The Registrar may make one of the following decisions:</p> <ul style="list-style-type: none"> (a) Confirm, cancel or vary the Registrar's decision or action; (b) Set aside the decision made or action taken by the Registrar, and make any decision or take any action with any terms and conditions that the Registrar is empowered to take on such a matter under the TSA.
Reference	<i>Traffic Safety Act – sections 91(4) and 99</i>
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

Section 34(1)(b) TSA

Registrar's decision to disqualify a person from driving or suspension or cancellation of certificate of registration under section 91(4)

- Applicant's submission package (submitted on the initial decision)
- System generated Notice of Suspension

- Client correspondence (incoming/outgoing)
- Driving record
- Driver's abstract
- Medical documentation

Section 34(1)(c) TSA

Registrar's review of the suspension or cancellation of an operator's licence for accumulation of demerit points under section 99

- Applicant's submission package (submitted on the initial decision)
- System generated Notice of Suspension
- Driving record
- Driver's abstract
- Listing of convictions (from the courthouse)
- Copies of issued traffic ticket violations
- Crown or court-issued documents for activities such as pleading down, etc.




POLICY NUMBER TS-SCS-DFM-05

POLICY STATEMENT

TITLE	Reconsideration Relating to Mandatory Participation in the Ignition Interlock Program (IIP)	
Version Number 1	New	Effective Date December 1, 2020
Purpose	<p>This policy applies to the reconsideration of the Registrar's decision relating to a driver's mandatory participation in the IIP where the Registrar:</p> <ul style="list-style-type: none"> - Refused to set aside the operation of a disqualification imposed under this Act or imposed terms and conditions in accordance with section 88.2(2) (terms and conditions related to approval to participate) - Refused to reinstate or issue a licence or imposed terms and conditions in accordance with section 88.2(4) (reinstatement) - Determined the length of the term under section 88.2(5)(b) - Ordered an extension of the requirement for the use of an alcohol-sensing device under section 88.2(6)(b) (extension) - Refused an application for an exemption from the requirement for the use of an alcohol-sensing device under section 88.2(6)(c) based on the feasibility for the suspended person to comply with the requirement for the use of an alcohol-sensing device (exemption) - Refused to set aside the requirement for the use of an alcohol-sensing device, or imposed a further period of disqualification or a term or condition, under section 88.2(7) (terms and conditions to exemption) <p><i>Traffic Safety Act – sections 34(1)(e)</i></p>	
Principles	<p>The IIP is designed to help an individual separate drinking from driving. Applicants that are approved for an exemption from the IIP will be required to complete the terms of the suspension and / or prohibition period. The Registrar may impose a further period of disqualification or another term or condition to ensure public safety.</p>	
Criteria		
<i>Hardship</i>	1. Financial constraints, vehicle inaccessibility and occupational hardships cannot be considered in the review.	
<i>Application Form</i>	2. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review.	

TITLE	Reconsideration Relating to Mandatory Participation in the Ignition Interlock Program (IIP)
<i>Applicant's Information</i>	<p>3. The applicant must submit the following to the Registrar to initiate a review:</p> <ul style="list-style-type: none"> (a) The completed original application form for an Oral review or a Written review, as the case may be; (b) The decision issued by the Registrar dated within the last 30 calendar days; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; (e) Any other relevant information.
<i>Considerations</i>	<p>4. In making a decision on the reconsideration, the Registrar may consider the following issues, where applicable:</p> <ul style="list-style-type: none"> (a) The applicant's submission; (b) Previous alcohol-related driving offences; (c) If applicable, any <i>Criminal Code</i> (Canada) licence suspension(s) arising from an offence involving injury or death, dangerous driving, criminal negligence, impaired driving, manslaughter, etc.; (d) Whether alcohol or drugs, or both, were a factor in the driving offences or collisions committed by the applicant; (e) The applicant's attitude and knowledge towards the effect of substance use on driving; (f) The applicant's attitude as a responsible driver; (g) Any other issues considered relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
<i>Decision</i>	<p>5. In determining a reconsideration, the Registrar may:</p> <ul style="list-style-type: none"> (a) Confirm any earlier action taken by the Registrar; (b) Set aside the operation of a disqualification and impose, or not impose, terms or conditions under section 88.2(2); (c) Reinstate or issue an operator's licence and impose, or not impose, terms or conditions under section 88.2(4); (d) Determine the length of the term under section 88.2(5)(b) (prescribed terms); (e) Extend or not extend the requirement under section 88.2(6)(b) (extend); (f) Grant an exemption under section 88.2(6)(c) where it is not feasible for the suspended person to comply with the


TITLE	Reconsideration Relating to Mandatory Participation in the Ignition Interlock Program (IIP)
	<p>requirement;</p> <p>(g) Set aside the requirement for the use of an alcohol-sensing device, and impose, or not impose, a further period of disqualification or terms or conditions under section 88.2(7).</p> <p>6. In making a decision whether it is feasible for the suspended person to comply with the requirement for the use of an alcohol-sensing device and whether the Registrar may grant an exemption under section 88.2(6), the Registrar may consider the following issues:</p> <p>(a) Documentation that the applicant has a medical condition that diminishes lung capacity, supported by a signed statement from a medical practitioner in a form satisfactory to the Registrar that the applicant has a chronic medical condition that diminishes lung capacity and due to that medical condition the applicant cannot provide a rolling breath sample.</p> <p>(b) Any other issues considered relevant by the Registrar</p> <p>7. When making a decision, the Registrar may include any terms and conditions that the Registrar considers appropriate in the circumstance.</p>
Reference	<i>Traffic Safety Act – section 88.2</i>
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

- Applicant's submission package (submitted on the initial decision)
- Remedial education course completion
- Letters of support or letter of recommendation from regular attending physician, addictions specialist or addiction recovery practitioner
- Certificates of completion from addiction treatment centers/facilities
- Biomarker testing, such as liver enzyme tests
- Driving record or driver's abstract
- Certificate of Analysis from the impaired driving event
- Statutory Declarations that they have not been driving since the last impaired driving event
- Ignition Interlock Program record of activities from the interlock device

POLICY STATEMENT

TITLE	Reconsideration - Drivers From Other Jurisdictions	
Version Number 1	New	Effective Date December 1, 2020
Purpose	<p>An applicant who was licensed in a jurisdiction outside Alberta may apply for a reconsideration of the Registrar's decision on the applicant's eligibility in Alberta where the Registrar refused to declare a person eligible to obtain a driver's licence or imposed a term or condition with which that person does not agree based on the applicant's non-Alberta driving history.</p> <p><i>Traffic Safety Act – section 34(1)(f)</i></p>	
Principles	<p>The Registrar will assess the applicant's driving records to determine if the driving privilege should be allowed, and the conditions that should be attached to the privilege.</p>	
Criteria		
<i>Application Form</i>	<p>1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review.</p>	
<i>Applicant's Information</i>	<p>2. The applicant must submit the following to the Registrar to initiate a reconsideration:</p> <ul style="list-style-type: none"> (a) The completed application form for an Oral review or a Written review, as the case may be; (b) A copy of the Registrar's decision under section 88.3 of the TSA; (c) Any relevant sworn or solemnly affirmed statement; (d) Any other relevant information. 	
<i>Information for Registrar Consideration</i>	<p>3. The Registrar will consider the following in determining the application:</p> <ul style="list-style-type: none"> (a) Information received from the applicant; (b) In the case of an Oral review, any relevant documentation and information presented at the Oral review; (c) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>	

TITLE	Reconsideration - Drivers From Other Jurisdictions
<i>Applicant's Records</i>	4. The Registrar may take into consideration the applicant's driving abstract and driving record, including records from other jurisdictions, and any other factors that the Registrar considers relevant.
<i>Decision</i>	5. The Registrar may make one of the following decisions on a reconsideration: <ol style="list-style-type: none"> (a) Confirm any action taken that the Registrar considers appropriate in the circumstances; (b) Declare the person eligible to obtain a driver's licence under section 88.3(2); (c) Impose or not impose a term or condition under section 88.3(2); (d) Make the decision subject to any terms or conditions that the Registrar considers appropriate in the circumstances.
Reference	<i>Traffic Safety Act</i> – section 88.3
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

- Alberta driving record, including driving-related conviction records
- Out of Province driving record, including driving-related conviction records
- Results from an Interprovincial Record Exchange (IRE) search across Canada
- Communication mediums from Out of Province counterparts



POLICY NUMBER TS-SCS-DFM-03

POLICY STATEMENT

TITLE	Reconsideration of Driver Conduct	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>1. This policy applies to the reconsideration of the Registrar's decision regarding a driver's ability or attitude respecting the operation of a vehicle pursuant to:</p> <p>(a) the Registrar's own initiative under section 30(1)(a) of the TSA;</p> <p>(b) a referral from the Court or from the Minister under section 30(1)(b) of the TSA;</p> <p><i>Traffic Safety Act – sections 30, 31, 32 and 33</i></p>	
Principles	The primary objective of the Registrar's reconsideration of a driver's conduct, ability or attitude is to ensure public safety on Alberta's roadways.	
Criteria		
<i>Application Form</i>	2. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. The application must be made within 30 calendar days of the service of the decision. The Registrar does not have jurisdiction to consider applications submitted after 30 calendar days.	
<i>Applicant's Information</i>	<p>3. The applicant must submit the following to the Registrar to initiate a reconsideration:</p> <p>(a) The completed application form for an Oral review or a Written review, as the case may be;</p> <p>(b) The decision issued by the Registrar where the Registrar disqualified the person from driving a motor vehicle in Alberta for a definite or indefinite period of time; prescribed any measure or course of remedial education, monitoring or treatment as a condition of acquiring or holding a driver's licence; or prescribed terms and conditions governing that person's driver's licence;</p> <p>(c) A detailed narrative of the issue that is the subject of the</p>	

TITLE	Reconsideration of Driver Conduct
	<p>application for reconsideration;</p> <p>(d) Any relevant sworn or solemnly affirmed statement;</p> <p>(e) Any other relevant information.</p>
<i>Information for Registrar Consideration</i>	<p>4. The Registrar may consider the following information in determining the reconsideration:</p> <p>(a) The applicant's driving record and driver's abstract which is the subject of the application;</p> <p>(b) Information provided to the Registrar by the Minister or the Court with respect to the applicant's ability or attitude regarding the operation of a vehicle;</p> <p>(c) The applicant's collision conviction records, when available;</p> <p>(d) The applicant's medical records for establishing medical fitness to drive;</p> <p>(e) Any relevant documentation and information presented at an Oral review;</p> <p>(f) Other pertinent information determined to be relevant by the Registrar.</p> <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
	<p>5. In determining the reconsideration, the Registrar may consider the following issues, where applicable:</p> <p>(a) Previous driving offences, demerit points, suspensions, cancellations, disqualifications, etc.;</p> <p>(b) <i>Criminal Code</i> (Canada) licence prohibition(s) arising from an offence involving injury or death, dangerous driving, operation while prohibited, criminal negligence, impaired driving, manslaughter etc.;</p> <p>(c) Whether alcohol or drugs, or both, were a factor in the driving offences or accidents committed by the applicant;</p> <p>(d) The applicant's attitude towards and knowledge of the effect of substance use on driving;</p> <p>(e) The applicant's attitude as a responsible driver;</p> <p>(f) The applicant's admission that difficulty is being experienced in the operation of a vehicle;</p> <p>(g) The type of vehicle(s) the applicant operates and the class of licence held;</p> <p>(h) Written comments from the applicant's family, employer, and other relevant sources;</p>

TITLE	Reconsideration of Driver Conduct
	<ul style="list-style-type: none"> (i) Reports or test results received from referral agencies (such as Alberta Health Services/Addiction & Mental Health Counselling (AHS/A&MHC) [previously known as the Alberta Alcohol and Drug Abuse Commission (AADAC)] and driver examiners about the applicant; (j) Record of completion of the remedial actions, tests, or courses required by the Registrar; (k) Summary of the driver's Ignition Interlock Program (IIP) activities; (l) The number of requests received by the Registrar from law enforcement personnel to initiate a review; (m) Any other issues considered relevant by the Registrar.
<i>Decision</i>	<p>6. The Registrar may make one of the following decisions:</p> <ul style="list-style-type: none"> (a) Disqualify the applicant from driving in Alberta for a definite or indefinite period; (b) Prescribe any measure or course of remedial education, monitoring or treatment as a condition of acquiring or holding an operator's licence; (c) Prescribe terms and conditions governing the applicant's operator's licence; (d) On the expiration of a suspension or disqualification, prescribe terms and conditions for the applicant; (e) Impose a pending suspension if a prescribed remedy is not completed within the specified time; (f) Impose additional periods of ongoing monitoring and reporting to the Registrar if there is not a change in the person's ability or attitude respecting the operation of a motor vehicle; (g) Any other decision as the Registrar may determine appropriate.
<i>Prescribed Remedies as a Condition Precedent</i>	<p>7. With respect to the remedial education, monitoring or treatment, the Registrar may provide that the prescribed action must be completed to the Registrar's satisfaction as a condition of:</p> <ul style="list-style-type: none"> (a) Approving licence reinstatement or removing Registrar's restrictions or suspension; (b) Approving continuance of motor vehicle operation.
Reference	<i>Traffic Safety Act - sections 30, 31, 32, 33</i>


TITLE	Reconsideration of Driver Conduct
Approved by	 The seal of the Registrar of Motor Vehicle Services is circular with a serrated outer edge. It features a central shield with a cross at the top, a landscape with mountains and a river in the middle, and a field of crops at the bottom. The words "REGISTRAR OF" are arched across the top, and "MOTOR VEHICLE SERVICES" are arched across the bottom.

Appendix A - Materials the Registrar May Rely on During a Reconsideration

- Driving record and driver's abstract
- Law enforcement reporting form, police report, witness statements, etc.
- Medical records establishing the driver's medical fitness to drive
- Ignition Interlock Program record of activities from the interlock device
- Collision statements or reports

POLICY STATEMENT

TITLE	Reconsideration of an Immediate Roadside Sanctions (IRS) Program of IRS FAIL Lifetime Suspensions Alberta Administrative Licence Suspension					
Version Number 1		Effective Date December 1, 2020				
Purpose	<p>An applicant may apply for reconsideration of a lifetime suspension that was imposed under the Immediate Roadside Sanctions (IRS) Program of IRS FAIL section 88.1(4)(c)(i)(B) after 10 years have expired.</p> <p><i>Traffic Safety Act – sections 88.1(14)</i></p>					
Principles	<p>The IRS FAIL Program imposes a suspension / disqualification on drivers who are issued by law enforcement a suspension for criminal-level impairment. For a third and subsequent contravention, the driver is suspended for an immediate period of 90 days, and a lifetime suspension following the expiration of 90 days in accordance with section 88.1(4)(c)(i)(B). The lifetime suspension may be set aside by the Registrar following the expiry of 10 years of the lifetime suspension. This policy applies to reconsideration of the Registrar's decision to refuse to set aside a lifetime suspension.</p>					
Criteria	<table border="0"> <tr> <td data-bbox="235 1262 479 1297"><i>Application Form</i></td> <td data-bbox="537 1262 1414 1360"> <ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. </td> </tr> <tr> <td data-bbox="316 1396 479 1465"><i>Applicant's Information</i></td> <td data-bbox="537 1396 1446 1808"> <ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a review: 3. The completed application form for an Oral review or a Written review, as the case may be; <ol style="list-style-type: none"> (a) The decision letter issued by the Registrar dated within the last 30 calendar days; (b) A detailed narrative of the issue that is the subject of the application for reconsideration; (c) Any relevant sworn or solemnly affirmed statement; 4. Any other relevant information. </td> </tr> </table>		<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 	<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a review: 3. The completed application form for an Oral review or a Written review, as the case may be; <ol style="list-style-type: none"> (a) The decision letter issued by the Registrar dated within the last 30 calendar days; (b) A detailed narrative of the issue that is the subject of the application for reconsideration; (c) Any relevant sworn or solemnly affirmed statement; 4. Any other relevant information.
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 					
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a review: 3. The completed application form for an Oral review or a Written review, as the case may be; <ol style="list-style-type: none"> (a) The decision letter issued by the Registrar dated within the last 30 calendar days; (b) A detailed narrative of the issue that is the subject of the application for reconsideration; (c) Any relevant sworn or solemnly affirmed statement; 4. Any other relevant information. 					

TITLE	Reconsideration of an Immediate Roadside Sanctions (IRS) Program of IRS FAIL Lifetime Suspensions Alberta Administrative Licence Suspension
<p>Timing of Application for Reconsideration</p> <p><i>Information for Registrar Consideration</i></p> <p><i>Decision</i></p> <p>Reference</p> <p>Approved by</p>	<ol style="list-style-type: none"> 5. The application must be made within 30 calendar days of the Registrar’s initial decision to refuse to set aside the operation of the suspension. The time for making the application may be extended beyond 30 calendar days by the Registrar if in the opinion of the Registrar the circumstances have substantially changed from the time of the initial decision to refuse to set aside the operation of the suspension. 6. If the Registrar refuses to extend the time for making the application beyond 30 calendar days and reconsider the decision, the applicant may apply again at the end of five years after the Registrar’s decision refusing a reconsideration of the decision. 7. The Registrar will consider the following in determining the application: <ol style="list-style-type: none"> (a) Information received from the applicant; (b) In the case of an Oral review, any relevant information presented at the Oral review; (c) Other pertinent information determined to be relevant by the Registrar. 8. Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration. 9. The Registrar may set aside the operation of a suspension/disqualification subject to any conditions prescribed by the regulations. <p><i>Traffic Safety Act – section 88.1(14)</i></p> 

Appendix A - Materials the Registrar May Rely on During a Reconsideration


- Applicant’s submission package (submitted on the initial decision)

- Remedial education course completion
- Letters of support or letter of recommendation from regular attending physician, addictions specialist or addiction recovery practitioner
- Certificates of completion from addiction treatment centers/facilities
- Biomarker testing, such as liver enzyme tests
- Driving record or driver's abstract
- Certificate of Analysis from the impaired driving event
- Statutory Declarations that they have not been driving since the last impaired driving event

POLICY STATEMENT

TITLE	Interim Stay or Relief for Reconsideration Reviews	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>This policy applies to an application for reconsideration. The act of submitting an application for reconsideration does not, except as otherwise directed by the Registrar, stay any suspension, cancellation, disqualification or other decision or action that is the subject of or related to the reconsideration.</p> <p><i>Traffic Safety Act – sections 34(6)</i></p>	
Principles	<p>An applicant may apply for interim relief, including a stay, relating to an application for reconsideration under the <i>Traffic Safety Act</i>. The Registrar may grant interim relief, including a stay, at the Registrar's discretion. The granting of any interim stay or relief must be based on an assessment of the potential impact of the decision on the applicant and other affected persons, as well as the potential risk to the general public. The effect of an interim stay is to grant an applicant relief until the determination of the application on the merits (i.e. a Written review or Oral review).</p>	
Criteria		
<i>Request in Writing</i>	1. An applicant who seeks an interim stay or relief from the decision or action by the Registrar must make such a request in writing, signed by the applicant or their agent, and filed with the Registrar.	
<i>When to Make the Request</i>	2. A request for interim stay or relief must be made concurrently with the filing of the application for reconsideration. An application must be in writing and in a format acceptable to the Registrar.	
<i>Applicant Information</i>	<p>3. The applicant must submit the following to the Registrar to request an interim stay or relief, where applicable:</p> <ul style="list-style-type: none"> (a) A copy of the decision related to the request; (b) Nature of interim stay or relief requested; (c) What actions, if any, the applicant has taken since the decision to address the issues; (d) The consequences to the applicant, clients of the applicant, other interested parties, if the interim stay or relief is granted or not granted; (e) What actions, if any, the applicant is prepared to take if the requested interim stay or relief is granted to address potential issues; 	

TITLE	Interim Stay or Relief for Reconsideration Reviews
	<p>(f) Any relevant sworn or solemnly affirmed statement;</p> <p>(g) Any other relevant information required or requested by the Registrar.</p>
<i>Irreparable Harm</i>	<p>4. The applicant must demonstrate that they will suffer irreparable harm between the date of the Interim Stay application and the date of the Written review or Oral review. The Registrar is not able to make a finding of irreparable harm on the basis of presumption or speculation. Inconvenience to the applicant does not amount to irreparable harm. Financial loss is not sufficient to demonstrate irreparable harm.</p>
<i>Review Conducted</i>	<p>5. The application for an interim stay or relief will be considered by way of Written review.</p>
<i>Consideration</i>	<p>6. The Registrar may consider the following information in a request for interim stay or relief:</p> <p>(a) Information submitted by the applicant;</p> <p>(b) Any other information considered relevant by the Registrar.</p>
<i>Guiding Principles – Full Review of Interim Stay or Relief</i>	<p>7. The Registrar may consider the following guiding principles in a review of a request for interim stay or relief:</p> <p>(a) The onus is on the Applicant to prove each of the following three requirements in relation to the period of time that the stay would function (i.e. the time period from the date the stay could be issued to the date when the Oral review or Written review would occur):</p> <ul style="list-style-type: none"> ○ there is a serious issue to be considered during the review; ○ there will be irreparable harm if the stay or relief is not granted; and ○ the balance of convenience and public interest considerations favour the granting of a stay. <p>(b) Public safety is the overarching purpose of the <i>Traffic Safety Act</i> and a significant factor to consider when weighing the balance of convenience;</p> <p>(c) The seriousness or probability of risks to people and properties, including the potential danger of a collision occurring as a result of the contravention;</p> <p>(d) Whether the degree of risk may be minimized to an acceptable level through terms or conditions attached to the interim stay or relief;</p> <p>(e) The duration of the interim stay or relief requested;</p> <p>(f) The likelihood of the applicant committing another contravention if the interim stay or relief were granted;</p> <p>(g) Past history of non-compliance by the applicant;</p>

TITLE	Interim Stay or Relief for Reconsideration Reviews
	<ul style="list-style-type: none"> (h) The degree of willfulness or neglect on the part of the applicant; (i) The impact of the decision to the applicant, the clients of the applicant, or other interested parties, if the interim stay or relief is granted or not granted by the Registrar; (j) What actions the applicant has taken, or intends to take prior to a decision of the related application being made by the Registrar; (k) Any other guiding principles established by the Registrar.
<i>Decision</i>	<p>8. The Registrar may grant or refuse the request for interim stay or relief and:</p> <ul style="list-style-type: none"> (a) Make an order granting an interim stay or relief subject to any conditions imposed by the Registrar; (b) Dismiss the application for an interim stay or relief.
	<p>9. Any interim stay or relief granted may be subject to the following:</p> <ul style="list-style-type: none"> (a) Any terms or conditions that the Registrar considers appropriate under the circumstances; (b) The validity only for a period of time specified by the Registrar.
Reference	<p><i>Traffic Safety Act</i> – sections 34(6) and 132(9)-(13) Commercial Vehicle Certificate and Insurance Regulation (AR314/2002) – section 51.1.</p>
Approved by	



POLICY STATEMENT

TITLE	Registrar’s Reconsideration – Alberta Administrative Licence Suspension (AALS) Imposed Following Expiry of Suspension or Disqualification Imposed by the Court	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>1. Section 320.14 of the <i>Criminal Code (Canada)</i> makes it an offence either to operate a motor vehicle while alcohol or drugs impair one’s ability to drive. A peace officer may demand a breath or blood sample pursuant to <i>Criminal Code (Canada)</i> section 320.27(1) if the peace officer has reasonable grounds to suspect the individual has alcohol or a drug in their body and they have operated a conveyance in the preceding 3 hours. Failure to provide or refusal to comply with a demand for a sample is an offence pursuant to section 320.15 of the <i>Criminal Code (Canada)</i>. The suspension of a person’s licence or the disqualification of a person to hold an operator’s licence arises out of the person being found guilty under section 320.14 or 320.15 of the <i>Criminal Code (Canada)</i>.</p> <p>2. On the expiration of a suspension or disqualification imposed by the court, the Registrar may consider applications by persons seeking relief from a suspension or disqualification imposed under the <i>Traffic Safety Act (TSA)</i>. This policy applies to an application for reconsideration of the decision of the Registrar where the Registrar:</p> <p>(a) on the expiration of a suspension or disqualification imposed by the court, refused to set aside the operation of the suspension or disqualification imposed under the TSA on the condition that the person complies with any terms or conditions imposed by the Registrar;</p> <p>(b) on the expiration of a suspension or disqualification imposed under the TSA, directed that the reinstatement or issuance of the operator’s licence be on condition that the person complies with any terms and conditions imposed by the Registrar.</p> <p><i>Traffic Safety Act – sections 30(2), 31(b), 32 and 33</i></p>	
Principles	The primary objective of the Registrar’s reconsideration is to ensure public safety on Alberta’s roadways.	

TITLE	Registrar's Reconsideration – Alberta Administrative Licence Suspension (AALS) Imposed Following Expiry of Suspension or Disqualification Imposed by the Court
Criteria	
<i>Application Form</i>	1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. The application must be made within 30 calendar days of the service of the decision. The Registrar does not have jurisdiction to consider applications submitted after 30 calendar days.
<i>Applicant's Information</i>	2. The applicant must submit the following to the Registrar to initiate a reconsideration: (a) The completed application form for an Oral review or a Written review, as the case may be; (b) The decision issued by the Registrar; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; (e) Any other relevant information.
<i>Information for Registrar Consideration</i>	3. The Registrar may consider the following information in determining the reconsideration: (a) The applicant's driving record and driver's abstract which is the subject of the application; (b) The applicant's collision and conviction records, when available; (c) Any relevant documentation and information presented at an Oral review; (d) Other pertinent information determined to be relevant by the Registrar. Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.
	4. In determining the reconsideration, the Registrar may consider the following issues, where applicable: (a) Previous driving offences, demerit points, suspensions, cancellations, disqualifications, driving skills, accident records etc.; (b) <i>Criminal Code</i> (Canada) licence prohibition(s) arising from an offence involving injury or death, dangerous driving, operation while prohibited, criminal negligence, impaired driving, manslaughter etc.; (c) Whether alcohol or drugs, or both, were a factor in the driving offences or accidents committed by the applicant;

TITLE	Registrar's Reconsideration – Alberta Administrative Licence Suspension (AALS) Imposed Following Expiry of Suspension or Disqualification Imposed by the Court
	<ul style="list-style-type: none"> (d) The applicant's attitude towards and knowledge of the effect of substance use on driving; (e) The applicant's attitude as a responsible driver; (f) The applicant's admission that difficulty is being experienced in the operation of a vehicle; (g) The type of vehicle(s) the applicant operates and the class of licence held; (h) Written comments from the applicant's family, employer, and other relevant sources; (i) Reports or test results received from referral agencies (such as Alberta Health Services/Addiction & Mental Health Counselling (AHS/A&MHC) [previously known as the Alberta Alcohol and Drug Abuse Commission (AADAC)] and driver examiners about the applicant; (j) Record of completion of the remedial actions, tests, or courses required by the Registrar; (k) Summary of the driver's Ignition Interlock Program (IIP) activities; (l) Any other issues considered relevant by the Registrar.
<i>Decision</i>	5. The Registrar may confirm, cancel or vary the Registrar's earlier decision or action.
<i>Terms and Conditions</i>	6. When making a decision, the Registrar may include any terms and conditions that the Registrar considers appropriate in the circumstances.
Reference	<i>Traffic Safety Act</i> - sections 30(2), 31(b), 32 and 33

TITLE	Registrar's Reconsideration – Alberta Administrative Licence Suspension (AALS) Imposed Following Expiry of Suspension or Disqualification Imposed by the Court
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

- Applicant's submission package (submitted on the initial decision)
- Remedial education course completion
- Letters of support or letter of recommendation from regular attending physician addictions specialist or addiction recovery practitioner
- Certificates of completion from addiction treatment centers/facilities
- Biomarker testing such as liver enzyme tests
- Driving record or driver's abstract
- Certificate of Analysis from the impaired driving event
- Statutory Declarations that they have not been driving since the last impaired driving event
- Ignition Interlock Program record of activities from the interlock device




POLICY NUMBER TS-SCS-DFM-09

POLICY STATEMENT

TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)	
Version Number 1		Effective Date December 1, 2020
Purpose	<p>This policy applies to the reconsideration of the Registrar's decision regarding the imposition of the IIP on a driver who has received an Immediate Roadside Sanction (IRS) for two or more convictions within a 10-year window. The Registrar may, on the expiration of the suspension or disqualification under section 88.1, direct that the reinstatement or issuance of an operator's licence be on the condition the driver participate in the IIP and comply with other terms or conditions imposed by the Registrar.</p> <p><i>Traffic Safety Act – sections 30, 31(c), 32 and 33</i></p>	
Principles	The primary objective of the Registrar's reconsideration is to ensure public safety on Alberta's roadways. The IIP is designed to help an individual separate drinking from driving.	
Criteria		
<i>Application Form</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of the decision of the Registrar must submit a complete application form on-line to the Registrar for an Oral review or a Written review. The application must be made within 30 calendar days of the service of the decision. The Registrar does not have jurisdiction to consider applications submitted after 30 calendar days. 	
<i>Applicant's Information</i>	<ol style="list-style-type: none"> 2. The applicant must submit the following to the Registrar to initiate a reconsideration: <ol style="list-style-type: none"> (a) The completed application form for an Oral review or a Written review, as the case may be; (b) The initial decision issued by the Registrar directing that the reinstatement or issuance of an operator's licence be on the condition the driver participate in the IIP and comply with other terms or conditions imposed by the Registrar; (c) A detailed narrative of the issue that is the subject of the application for reconsideration; (d) Any relevant sworn or solemnly affirmed statement; 	

TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)
	(e) Any other relevant information.
<i>Information for Registrar Consideration</i>	<p>3. The Registrar may consider the following information in determining the reconsideration:</p> <ul style="list-style-type: none"> (a) The applicant's driving record and driver's abstract which is the subject of the application; (b) The applicant's collision conviction records, when available; (c) Any relevant documentation and information presented at an Oral review; (d) Other pertinent information determined to be relevant by the Registrar. <p>Appendix A lists technical and other materials that the Registrar may rely on during a reconsideration.</p>
	<p>4. In determining the reconsideration, the Registrar may consider the following issues, where applicable:</p> <ul style="list-style-type: none"> (a) Previous driving offences, demerit points, suspensions, cancellations, disqualifications, accident record, driving skills etc.; (b) <i>Criminal Code</i> (Canada) licence prohibition(s) arising from an offence involving injury or death, dangerous driving, operation while prohibited, criminal negligence, impaired driving, manslaughter etc.; (c) Whether alcohol or drugs, or both, were a factor in the driving offences or accidents committed by the applicant; (d) The applicant's attitude towards and knowledge of the effect of substance use on driving; (e) The applicant's attitude as a responsible driver; (f) The applicant's admission that difficulty is being experienced in the operation of a vehicle; (g) The type of vehicle(s) the applicant operates and the class of licence held; (h) Written comments from the applicant's family, employer, and other relevant sources; (i) Reports or test results received from referral agencies (such as Alberta Health Services/Addiction & Mental Health Counselling (AHS/A&MHC) [previously known as the Alberta Alcohol and Drug Abuse Commission (AADAC)] and driver examiners about the applicant; (j) Record of completion of the remedial actions, tests, or

TITLE	Registrar's Reconsideration – Imposition of Ignition Interlock Program (IIP)
	<p>courses required by the Registrar;</p> <p>(k) Summary of the driver's Ignition Interlock Program (IIP) activities;</p> <p>(l) Any other factors/issues considered relevant by the Registrar.</p>
<i>Decision</i>	4. The Registrar may confirm, cancel or vary the Registrar's initial decision or action.
<i>Terms and Conditions</i>	5. When making a decision, the Registrar may include any terms and conditions that the Registrar considers appropriate in the circumstances.
Reference	<i>Traffic Safety Act</i> - sections 30, 31(c), 32, 33, 88.1
Approved by	

Appendix A - Materials the Registrar May Rely on During a Reconsideration:

- Applicant's submission package (submitted on the initial decision)
- Remedial education course completion
- Letters of support or letter of recommendation from regular attending physician, addictions specialist or addiction recovery practitioner
- Certificates of completion from addiction treatment centers/facilities
- Biomarker testing, such as liver enzyme tests
- Driving record or driver's abstract
- Certificate of Analysis from the impaired driving event
- Statutory Declarations that they have not been driving since the last impaired driving event
- Ignition Interlock Program record of activities from the interlock device

POLICY STATEMENT

TITLE	Registrar's Reconsideration	
Version Number 1		Effective Date December 1, 2020
Purpose	<ol style="list-style-type: none"> 1. The <i>Traffic Safety Act</i> provides that a person may request the Registrar to reconsider a decision. Generally speaking, a person will request a reconsideration under one or more of the following circumstances: <ol style="list-style-type: none"> (a) the applicant wishes to have the original Registrar decision set aside; or (b) the applicant wishes to submit new information which may have a material impact on the initial Registrar's decision. 2. The <i>Traffic Safety Act</i> provides that the Registrar must reconsider a decision upon receipt of the first request from an applicant. The Registrar, however, may consent or refuse to reconsider the matter upon the receipt of a second or subsequent request on the same decision. 3. This policy applies to the first or subsequent request(s) by an applicant to have the Registrar reconsider a previous decision made under the <i>Traffic Safety Act</i>. <p><i>Traffic Safety Act</i> – sections 32, 34 and 88.1(14)</p>	
Principles	Reconsiderations will be completed in a system that is fair, transparent, consistent, efficient and easy for Albertans to navigate.	
Criteria		
<i>Application for Reconsideration</i>	<ol style="list-style-type: none"> 1. An applicant who applies for a reconsideration of a Registrar's decision must submit a complete application form on-line to the Registrar for an Oral review or a Written review. 2. The application for reconsideration must be made within 30 calendar days of service of the decision or notice of the decision or action on the applicant. 3. If an application for a reconsideration is filed with the Registrar on a date that appears to be past the 30 calendar day time limit, the Registrar will consider the timeliness of the application (i.e. whether the Registrar has the jurisdiction to hear the matter) before proceeding to schedule a review on the matter. The Registrar will also consider whether there is authority in the <i>Traffic Safety Act</i> to extend the timeline in specified circumstances. In circumstances where there is authority to extend the timeline beyond 30 calendar 	

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	<p>days, the Registrar will consider:</p> <ul style="list-style-type: none"> (a) Whether there have been substantial changes to the circumstances related to the matter from the time of the decision or action; and (b) whether those changes are of sufficient magnitude that they might impact the Registrar's decision. <p>4. When submitting the application for reconsideration, the applicant must specify the type of review that is being requested:</p> <ul style="list-style-type: none"> (a) Oral review (conducted by telephone at a scheduled time); (b) Written review (written materials only). <p>5. Reviews will be held within 60 calendar days if an Oral review is requested, and within 30 calendar days where a Written review is requested. Time will be calculated from the date of receipt of the completed application. Timelines may be amended or extended by the Registrar when the Registrar determines that it is appropriate in the circumstances.</p> <p>6. Incomplete applications will not be accepted for reconsideration. Incomplete applications will be returned to the applicant, via email, along with information about an Alberta Transportation department contact for assistance.</p> <p>7. Applications for reconsideration will not be accepted unless they are accompanied by the required fees. Fees may be refunded if the application for reconsideration results in the cancellation of the Registrar's decision or action.</p> <p>8. Applicants must be prepared to proceed at the time scheduled for the Oral review. Oral reviews will be conducted over the telephone. If the applicant, or the lawyer or agent representing them, is not in attendance at the Oral review by 15 minutes after the scheduled start time of the review, the Registrar may either proceed with a Written review in their absence, or deem the Application abandoned, as the Registrar considers appropriate.</p>
<i>Information Included in Application</i>	<p>9. The applicant must submit the following information in writing, as applicable, to the Registrar to request a reconsideration:</p> <ul style="list-style-type: none"> (a) their MVID or other personal identifier; (b) all information requested in the application form; (c) reasons or information relevant to the matter; and (d) any additional information not available or considered at the time of the original decision.
<i>First Reconsideration</i>	<p>10. On receipt of a request from an applicant for a reconsideration, the Registrar must conduct a review of the original decision.</p>
<i>Second or Subsequent</i>	<p>11. An application for a second or subsequent reconsideration of a decision will only be heard with leave of the Registrar.</p>

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	<p>12. On receipt of a request from an applicant for a second or subsequent reconsideration of a decision, the Registrar must conduct a preliminary review to determine if a reconsideration should be granted.</p>
	<p>13. The Registrar may consent or refuse to grant a second or subsequent reconsideration based on the following:</p> <ul style="list-style-type: none"> (a) whether there have been substantial changes to the circumstances related to the matter from the time of the previous reconsideration; and (b) whether those changes are of sufficient magnitude that they might impact the Registrar's decision.
<i>Considerations</i>	<p>14. The Registrar may consider the following information, where applicable, in any reconsideration or in a preliminary review to determine whether a second or subsequent reconsideration should be granted:</p> <ul style="list-style-type: none"> (a) information contained in the Registrar's file on this matter, including the previous decision of the Registrar; (b) new or additional information submitted by the applicant; (c) any changes in circumstances related to the matter, and the magnitude of such change, including additional convictions or steps taken by the applicant; (d) the applicant's driving record, driver attitude, driving skills and knowledge, driving disabilities, and any other factors that the Registrar considers relevant; (e) the applicant's record or profile as a carrier, or as holder of a licence or permit relating to a "commercial" operation; (f) reports and documentation from the police or other law enforcement agencies; (g) in the case of an Oral review, any relevant evidence and information given at the review; and (h) any other factors considered relevant by the Registrar.
<i>Decision</i>	<p>15. The Registrar may make one of the following decisions:</p> <ul style="list-style-type: none"> (a) Confirm, cancel or vary the previous Registrar decision; or (b) set aside the previous Registrar's decision and make any decision with any terms and conditions that the Registrar is empowered to make as if this were the original decision.

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	16. The Registrar will provide a decision with written reasons within 30 calendar days from the date of the review. This timeline may be amended or extended by the Registrar when the Registrar determines that it is appropriate in the circumstances.
	17. Written reasons will include: a reference to the legislation under which the Registrar has the authority to act; the issues before the Registrar and the main arguments put forth by the applicant; the findings of fact on which the Registrar based the decision; and the reasons and rationale for the decision(s) made by the Registrar, making a connection between the information presented and the conclusion reached. Documents that were considered by the Registrar will be listed in an Appendix to the decision.
<i>Judicial Review</i>	18. Reconsideration decisions under the authority of the Registrar are final but subject to judicial review. Applicants dissatisfied with the reconsideration decision may make an application to have the decision reviewed by the court. The application must be filed with the court and served on the Registrar no later than 30 days after the date of the decision or order, or the date a copy of the decision or order and reasons have been received by the applicant, whichever is later.
Reference	<i>Traffic Safety Act</i> - sections 32, 34, 47.1 and 88.1(14). Transportation Network Companies Regulation (AR 100/2016) - section 3.
Approved by	