

Vehicle Seizure Program

TRANS2 06/01

Before purchasing an Application for a Hearing form, please read the following information, as the application fee is NON-REFUNDABLE. ***The purchase of an application form does not guarantee the return of your vehicle.***

The fee is \$100 for a paper (non-personal) hearing and \$200 for a personal hearing before the Driver Control Board. Registry agents will charge a service fee for the application and this cost may vary from agent to agent.

An application for a hearing may be made only on the following ground:

- a) if a person operating a vehicle which is seized did not know or could not reasonably have known, that their operator's licence was suspended
- b) if the registered owner was not driving the motor vehicle when it was seized and did not know, or could not reasonably have known, that the person driving the vehicle did not have a valid operator's licence
- c) if the registered owner was not driving the motor vehicle when it was seized and the vehicle was being driven without the owner's consent. (The owner must have reported to the police that the vehicle was stolen and the Board requires a copy of the police report and seizure notice.)
- d) if the person who was driving the motor vehicle when it was seized was not under suspension.

Hardships will not be a consideration of the Driver Control Board when hearing a vehicle seizure case nor will failure to accept or receive a Notice of Suspension be an acceptable defence.

Review Process

The registered owner at the time the vehicle was seized may have the seizure reviewed by the Driver Control Board. Hearings, under section 23.2 of the Motor Vehicle Administration Act, can be either on paper (non-personal) or in person before the Board. An Application for Hearing form can be purchased at any registry agent's office. ***The application fee covers administrative costs for the Vehicle Seizure Program and is non-refundable.***

The Driver Control Board will attempt to conduct non-personal hearings within three working days of receipt of an application. The applicant will be notified by regular mail within seven working days of the Board's decision on whether or not to return the vehicle prior to the end of the seizure period.

A Board representative will advise the applicant, in writing, of the date of a personal hearing. The Driver Control Board will make every effort to schedule a hearing within 14 days of receipt of an application. Hearings will be held in Calgary, Edmonton, Grande Prairie, Lethbridge, Medicine Hat, Peace River and Red Deer. Applicants may have to travel if they choose to have a personal hearing.

If the applicant is not the registered owner of the seized vehicle, the registered owner must complete the back of the application section and provide a written statement as to why the registered owner is allowing the applicant to apply before the Driver Control Board will hear the application.

The application must be accompanied by whatever written evidence the applicant believes is important for the Driver Control Board to consider. The applicant ***must*** indicate what steps were taken to ensure their vehicle was being given to a driver who held a valid licence; and the circumstances that allowed the driver to have access of their vehicle.

A copy of the Seizure Notice, or any form provided by the police service which seized the vehicle, must also accompany the application.

For further information, contact:

**Driver Control Board
Main Floor, Twin Atria Building
4999-98 Avenue NW
Edmonton, AR T6B 2X3**

Or

**Driver Control Board
803 Manning Road NE
Calgary, AR T2E 7M8**

To locate a registry agent near you, call:

**Edmonton: (780) 422-7330
Outside Edmonton, call: 310-0000
and ask for 422-7330**

or, look under “Licence and Registry Services” in the Yellow Pages of your telephone directory.