

Controversial car impounding law in force

By CLAUDIA D'SOUZA

Special to The Champion

In what's acknowledged as a Draconian move, Ontario has given police the power to impound vehicles driven by those with licence suspensions for Criminal Code convictions.

That means the owner of a car could see it confiscated if he lends it to someone who has had his or her licence taken away.

The launch of the vehicle impoundment law was announced recently in Oakville, at one of 22 vehicle impoundment yards established across the province.

"Suspended drivers who have lost their driving privileges because they were convicted of serious offences such as impaired driving or leaving the scene of an accident should not be on our roads," said Transportation Minister Tony Clement. "If taking away their license isn't enough, then we'll take away their vehicles as well.

"Some might consider this law as Draconian," Mr. Clement admitted. "Yes, it is Draconian but we have a very serious problem on our roads. Where the safety of our spouses our children and ourselves is at stake, I believe we have the responsibility to take action. We're delivering a very important message to repeat offenders: You belong in the passenger seat, not behind the wheel."

Under the new law, the province will impound vehicles driven by a suspended offender for a minimum of 45 days. The group most targeted is repeat offender drunk drivers who account for 85 per cent of all criminal convictions.

Cars will remain impounded until the owner pays all towing and storage costs, expected to range from \$900 to \$1,100 per incident. This puts the onus on the owner to ensure those who borrow their vehicle, whether it's leased, owned or rented, have a valid driver's license.

A user-friendly automated touch tone tele-

phone hot-line (1-900-565-6555), demonstrated by Mr. Clement, will allow owners to obtain this information by keying in the driver's license number.

A charge of \$2.50 will be tacked to the caller's phone bill. Provincial private or public license issuing offices or self-serve kiosks can also be used to obtain driver abstracts for this purpose.

Come May, driver's license validity can also be checked via the Ministry of Transportation's web site at www.mto.gov.on.ca/english/dandv/check.htm at a charge of \$2 payable by Visa or Mastercard. The fees are a "cost recovery" measure to avoid straining the taxpayer's wallet, Mr. Clement explained.

Asked if he considered the system a blatant invasion of privacy, Mr. Clement replied the intrusion is balanced in the interest of higher public good.

"It's a great initiative meant to focus on the hard core drinker/repeat offender who causes 60

per cent of all vehicular fatalities and injuries," noted Mothers Against Drunk Driving executive director Andrew Murie, who was on hand. "It removes, for the first time, the deadly weapon at their hands."

Vehicle owners may appeal the impoundment on the following grounds:

- Their car was stolen;
- The driver didn't have a Criminal Code suspension;
- They can prove the loss of the car would result in exceptional hardship;
- The owner made reasonable efforts to ensure the person driving had a valid license.

Vehicle impoundment is the final measure implemented by Bill 138, the Comprehensive Road Safety Act. Last November, the provincial government launched an education and warning period leading up the program launch. The law already exists in seven provinces.

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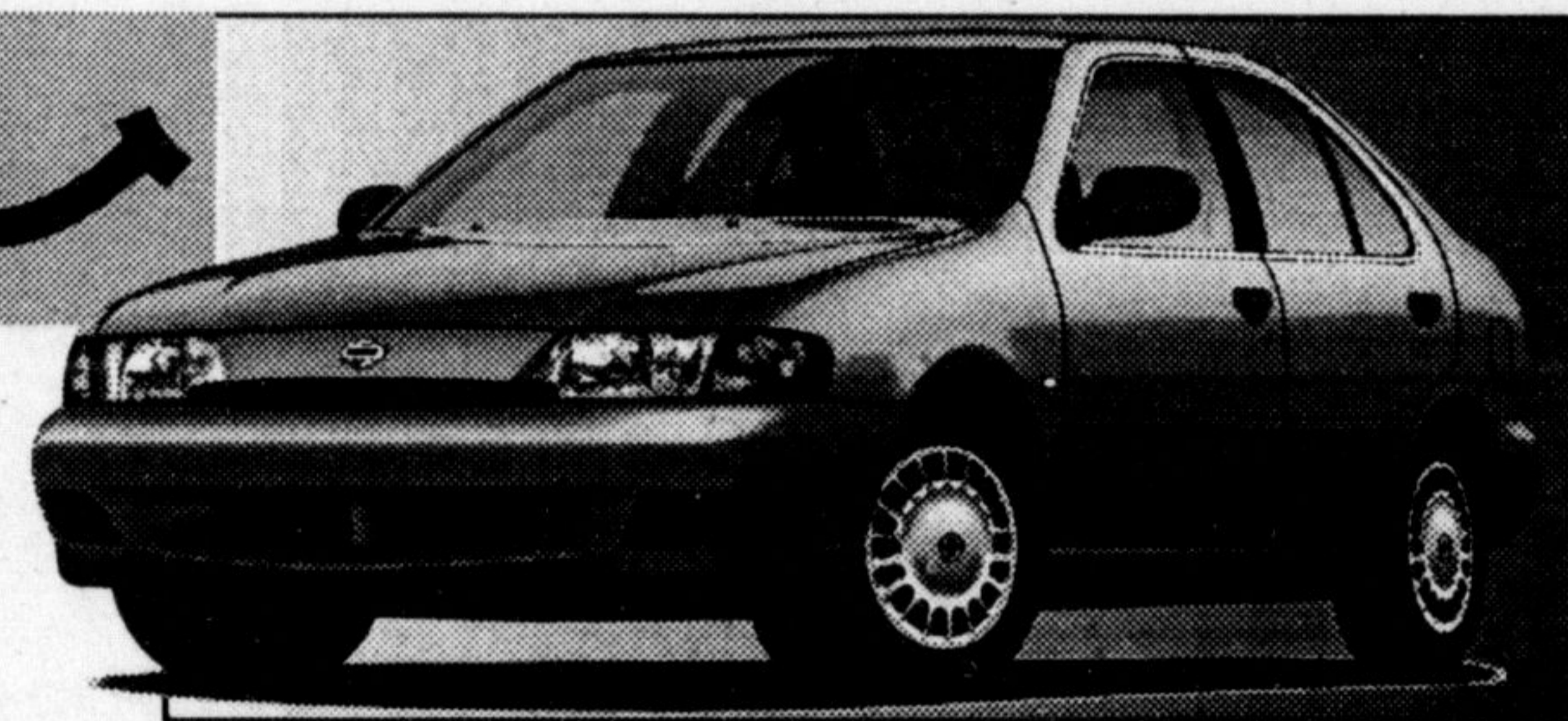


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