

Motor vehicle restriction and driver's licence suspension

Maintenance Enforcement Program

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

Motor Vehicle Restriction

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

A **motor vehicle restriction** prevents a payor 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 payor from renewing their licence and registration when their current ones expire. It also prevents the payor from obtaining in-transit permits or transferring ownership of vehicles to their name.

A motor vehicle restriction does not prevent a payor from obtaining photo identification, driver abstracts, parking placards, driver medical credits, or from accessing SafeRoads Alberta services.

Driver's Licence Suspension

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

A driver's licence suspension makes a payor's Alberta driver's licence invalid, so the payor 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 payor who wants motor vehicle enforcement removed should contact the MEP to make a payment arrangement. To make a payment arrangement, the payor must complete a *Statement of Finances*. This sworn or affirmed statement provides information about the payor's income, employment, assets, and expenses, and helps the MEP negotiate a reasonable payment arrangement. For more information, see the MEP's Information Sheets available on the MEP's website.

Prior to removing motor vehicle enforcement, the 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 payor's employer or potential employer that they will pay the MEP according to a Wage Support Deduction Notice;
- Confirmation from the payor's employer or potential employer that the payor requires a valid driver's licence for the job; or
- Information from the payor that confirms the payor has special circumstances that may warrant removal of the enforcement, such as medical issues or unemployment.

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

What should a payor do after the MEP removes this suspension? A payor must visit a Registry Agent to obtain a new valid driver's 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 payor whose licence was suspended for more than one year may also need to contact Driver Fitness and Monitoring.