

## Report CCR-CW-01-17

**To:** Warden Barfoot and Members of Grey County Council  
**From:** Sharon Vokes  
**Meeting Date:** January 12, 2017  
**Subject:** **Comments on Proposed Regulation Governing Licence Plate Denial for Defaulted POA Fines**  
**Status:** Recommendation adopted by Committee of the Whole as presented per Resolution CW05-17; Endorsed by County Council January 26, 2017 per Resolution CC05-17;

### Recommendation

- 1. That Report CCR-CW-01-17 regarding a regulation aimed at enhancing the ability of municipalities to collect defaulted Provincial Offences Act Fines be endorsed and the report be forwarded to the Province as Grey County's comments on the proposed regulation.**

### Background

The volume of unpaid Provincial Offences Act fines continues to grow. The issue was first brought to light by a whitepaper prepared by the Ontario Association of Police Services Boards in 2010. At that time it was quoted as being a One Billion Dollar problem. It's safe to say that the dollar value will have increased significantly since then.

Following the release of the whitepaper finding solutions to the issue became a priority of AMO and the Province. In 2012 a provincial working group was formed to arrive at recommendations for the Province to consider.

Early in the process the Province committed to expand plate denial as a tool to collect fines. On June 2, 2015 the Making Ontario's Road Safer Act, 2015 received Royal Assent. This Act provides the legislative framework for expanded plate denial.

The implementation is much more complex than passing a piece of legislation. The Ministry of Transportation has been working diligently to update its software to accommodate the expanded plate denial. The work has also included the ability to pay

finances related to the Highway Traffic Act at Service Ontario. The Province plans to have the software in place in 2017.

The Ministry is seeking input on a regulation that provides more framework around the collection of defaulted fines. There are three key components to the regulation.

## Apply licence plate denial retrospectively to all outstanding driving-related fines over the last seven years

The tool of denying a licence plate sticker will be limited to seven years. While municipalities would like this extended for a longer period, it is understood that there is logic in setting a specific time frame.

The seven year time frame only impacts the ability to obtain a licence plate sticker. The fine will continue to remain a debt to be paid.

## Exempt jointly-owned vehicles (vehicles that are registered in the name of two or more persons) from the application of plate denial

This component of the regulation is problematic. The intent of this exemption is to protect innocent parties where two or more people jointly own a vehicle. It has the unintended impact of creating a loop hole for people to avoid paying defaulted fines. It is recommended that the Ministry seriously consider removing this requirement.

At a minimum, it is requested that data be kept to determine if trends reveal that more people are turning to joint ownership to avoid paying defaulted fines. This should be reviewed in three to five years with a view to making adjustments if necessary.

## Exempt vehicles registered to a company from the application of plate denial

This exemption is being put in place as companies are already subject to strict sanctions for defaulted fines under the Province's Commercial Vehicle Operator's Registration Program.

This is a logical exemption and support is recommended.

## Financial/Staffing/Legal/Information Technology Considerations

There are no legal, staffing or Information Technology considerations related to this report.

As noted in the report, the value of unpaid POA fines continues to grow. In Grey Bruce alone, the accounts receivable as of November 30, 2016 was valued at approximately \$12 Million. This includes administration and collection agency costs.

The ability to deny licence plate stickers is a major step forward in helping to collect these fines. There are limits to the effectiveness though as payments at Service Ontario will only impact driving related fines. This is, however, the largest component of defaulted fines.

As licence plate renewals can be for a two year period it is anticipated that increases in POA revenue as a result of this initiative will span several years. The 2017 budget was drafted in anticipation of licence plate sticker denials being in place mid-2017.

It has been a privilege for me to be a member of the Provincial Working Group on Unpaid POA fines. It has been a long process and the group is still active as more tools are needed to improve collection efforts for these fines. It is a complicated process and involves multiple ministries.

## Link to Strategic Goals/Priorities

Goal 4.6 – Cooperating with others to continue to lobby senior levels of government for financial supports that enhance sustainability.

Attachments (None)

Respectfully submitted by,

Sharon Vokes  
Clerk/Director of Council Services