

Ministry of  
Transportation

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Bureau du ministre

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Mr. Wayne Emmerson  
Chairman and CEO  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket ON L3Y 6Z1  
wayne.emmerson@york.ca

Dear Chairman Emmerson:

Thank you for sending me a copy of your letter to the Honourable Yasir Naqvi, Attorney General of Ontario, seeking support for legislative changes to strengthen and enhance the collection of defaulted *Provincial Offences Act* (POA) fines. I am pleased to respond.

Improving the municipal collection of defaulted fines is a priority for our government. As Minister Naqvi noted in his response to you, our respective ministries are working closely to expand and improve POA fine collection tools available to municipalities, including expanded licence plate denial.

As you know, in 2011, the Association of Municipalities of Ontario (AMO) and the Ontario Association of Police Services Boards (OAPSB) requested that the province help address the growing volume of defaulted POA fines. In response to these requests, the province made a commitment to help improve fine collection and struck a working group comprised of provincial and municipal actors to identify and explore fine collection tools. The expansion of licence plate denial and the range of tools referenced by Minister Naqvi in his letter are products of this ongoing collaboration.

As you alluded to in your letter, the *Making Ontario's Roads Safer Act* (formerly Bill 31), which was passed in June 2015, contained legislative amendments to expand licence plate denial as a means of improving fine collection. These changes are expected to come into force in spring 2017.

In line with the *Making Ontario's Road Safer Act*, the province committed to apply the forthcoming plate denial regime retrospectively from the date of implementation, to compel payment for historical driving-related fines. In order to determine the most appropriate retrospective option, the province has balanced a range of considerations, including municipal feedback, Ministry of Transportation debt write-off policies, quality of historical fine data, and the feasibility of leveraging payments that are many years old.

Based on its analysis, the ministry is proposing a retrospective application of plate denial that would impact drivers who incurred defaulted fines seven years prior to the projected spring 2017 implementation date. This proposal has been posted on Ontario's Regulatory Registry for feedback, and shared with municipalities through the Provincial-Municipal Defaulted Fines Working Group. The ministry's regulatory proposal for the expansion of plate denial can be found at the following link:  
<<http://www.ontariocanada.com/registry/view.do?postingId=23222&language=en>>.

In response to your suggestion that the ministry broaden the application of licence suspensions and plate denial as tools to collect non-driving related fines, I wish to note that this is something that the ministry has considered in prior discussions with municipalities. Currently, licence suspensions are used to compel payment for defaulted fines stemming exclusively from driving-related offences. Ontario's expanded plate denial regime will target these same offences. To maintain the integrity and effectiveness of these important road safety tools, the ministry has opted not to apply suspensions and plate denials to fines that do not relate to driving. This decision is reflective of jurisdictional best practices, including those advocated by the American Association of Motor Vehicle Administrators.

Thank you again for the opportunity to respond to your concerns. I wish to assure you that the ministry will continue to work collaboratively with its municipal partners to improve defaulted POA fine collection.

Sincerely,



Steven Del Duca  
Minister

- c. The Honourable Chris Ballard, MPP, Newmarket/Aurora  
The Honourable Michael Chan, MPP, Markham/Unionville  
The Honourable Helena Jaczek, MPP Oak Ridges/Markham  
The Honourable Bill Mauro, Minister of Municipal Affairs  
The Honourable Reza Moridi, MPP, Richmond Hill