DRIVER'S LICENCE WITHHOLDING FACT SHEET

Family Maintenance Enforcement Program

What is "driver's licence withholding"?

As soon as a maintenance order or agreement is filed with the Family Maintenance Enforcement Program (FMEP), we are responsible under the *Family Maintenance Enforcement Act* for monitoring and enforcing that order.

That means we have the authority to take certain actions to make sure the person who is supposed to pay maintenance (called the payor) makes his or her maintenance payments on time and in full.

One of those actions may be to instruct the Insurance Corporation of British Columbia (ICBC) to refuse to issue a new driver's licence – or to renew a current driver's licence – for any payor who is more than $3,000.00 behind in maintenance payments.

Does this apply to all payors with over $3,000.00 in arrears?

No. Withholding a payor's driver's licence is a serious step, and we will take that step after we have tried – unsuccessfully – to collect the maintenance in other ways.

If administrative enforcement does not work, and the payor still does not pay the arrears or contact us to work out a reasonable payment plan – and the payor owes more than $3,000.00 in maintenance – will we consider withholding the payor's driver's licence.

Will the payor be notified before the withhold goes in place?

Yes. We will attempt to send each payor a notice before we instruct ICBC to withhold his or her driver's licence. The payor will have the opportunity either to pay the arrears or to make arrangements for paying them over time in addition to making regular maintenance payments.

How long will the withhold stay in place?

The withhold will stay in place as long as the payor's maintenance order or agreement is filed with the FMEP, or until the payor arranges to pay the arrears (we may also require a deposit as security for future payments), or we decide to withdraw the withhold based on a review of the payor's case.

Can the payor request a review of the withhold?

Yes. A payor may ask us to review the case if the payor believes:

- he or she was less than $3,000.00 in arrears at the time we sent the notice, or
- that the withhold would significantly reduce his or her ability to pay maintenance

Important!

The FMEP, not ICBC, is responsible for withholding a payor's driver's licence. ICBC licensing staff cannot decide to remove the withhold – only the FMEP can. If there is a withhold on your driver's licence, contact the FMEP – not ICBC – to discuss arrangements for having the withhold removed.

British Columbia
Ministry of Attorney General

Where can I get more information about driver's licence withholding?

For pre-recorded, general information about driver's licence withholding and a variety of other subjects, please call the FMEP InfoLine:

Greater Vancouver: 604-775-0796
Greater Victoria: 250-356-5995
Elsewhere in BC: 1-800-668-3637

For more specific information about driver's licence withholding, please call an Enquiry Representative at one of our FMEP Regional Offices:

Greater Vancouver: 604-678-5670
or toll-free 1-800-663-9666
Greater Victoria: 250-220-4040
or toll-free 1-800-663-3455
Northern and Interior BC: 250-434-6020
or toll-free 1-800-663-3933

For information about your case, visit our website, www.fmep.gov.bc.ca.

For information about family justice issues and services, visit www.ag.gov.bc.ca/family-justice.

Maintenance Tips for Payors

- You can send payments to us through On-line Banking, Telephone Banking or ABM Banking, instead of mailing payments. Please contact your regional office for details on how to set up this payment option.
- If you mail your payments be sure to allow enough time for them to arrive by the due date. (You may want to consider post-dated cheques.)
- Send your cheque or money order – made out to the recipient – to us at our Victoria office:

  FMEP Payment Services
  Box 5599
  Victoria, BC V8R 6T7

- Always include your FMEP case number on your payment.
- Do not pay the recipient directly. You are required by law to send all payments to the FMEP.
- We cannot change your court order or agreement. If you are having trouble making your scheduled maintenance payments, you may need to obtain a new court order or agreement. In the meantime, however, we are required to make sure you pay the maintenance owe now.
- If you have fallen behind in your payments, please contact us. We will work with you to develop a plan for paying the arrears in addition to making your regular maintenance payments.