



**SOUTH COAST BRITISH COLUMBIA
TRANSPORTATION AUTHORITY
POLICE SERVICE**

VIOLATION TICKETS

Effective Date: May 9, 2005

Revised: May 7, 2007

POLICY

1. Violation tickets (VT) are to be used to charge persons with offences that have specified penalties under certain Province of British Columbia Acts and/or Regulations, including the South Coast British Columbia Transportation Authority Act and Greater Vancouver Transit Conduct and Safety Regulations.
2. Violation tickets must be personally serviced [no registered mail, regular mail or leaving on vehicle windshield].

REASON FOR POLICY

3. To provide the South Coast British Columbia Transportation Authority Police Service (SCBCTAPS) with procedures relevant to the use of the VT.
4. To enable SCBCTAPS to fulfill Insurance Corporation of British Columbia (ICBC) requirement for prompt receipt of violation tickets for timely processing of the documents and entry onto contravention and driving records.

PROCEDURES

5. SCBCTAPS personnel may refer to the Enforcement Officer's Instruction Manual on the Completion or Withdrawal of Violation Tickets for guidance in completing and processing VTs.
6. Members will include the following when completing a VT:
 1. print legibly,
 2. ensure the violator's name, date of birth, address (including postal code), and other pertinent information is included,
 3. check off the appropriate box if the offender is between the ages of 12 and 17 inclusive,
 4. include the description of the offence, section number of the Act or Regulation and the indicated penalty,
 5. up to three offences may be listed per VT, however, DO NOT put two offences on one count line (it is not necessary for all counts to be under the same Act,
 6. enter the date service, ONLY if it is different from the violation date,
 7. ensure that the Member's badge number appears in the appropriate place on the face of the VT,

8. serve the violator with the second (blue) copy of the VT, after requesting they acknowledge receipt by signing in the appropriate place on its face.
 - a. The alleged offender is not obliged to sign as requested.
 - b. Do NOT mark "refused" or similar on the face of the ticket if the alleged violator failed to sign the acknowledgement of receipt on the face of the VT.
9. complete the Certificate of Service on the reverse of the original (white) copy if the alleged violator has not signed the VT to acknowledge receipt of a copy, and
10. retain the green and yellow copies of the VT and associated notes for court purposes.

Spoiled Tickets

7. If a VT is spoiled, the Member will write "SPOILED" across the face of the face of the VT and then retain the VT in their VT storage folder.
8. When the alleged offender has used an alias and the alias recorded on the VT, and then the true identify of the offender confirmed, the Member will: write "ALIAS" across the face of the VT, fold the VT in half, and staple it to the new VT issued with the correct name.

Property Seized

9. In all cases where property is seized in conjunction with a VT, the Member will:
 1. obtain an incident number and submit a General Occurrence (GO) report on PRIME,
 2. record the VT number in the GO "Event to Event" link, synopsis, concluding remarks and Property page, and
 3. record the GO number at the right hand corner of the VT (if the allegation is disputed Crown Counsel will notify Members and the required information may be cross-referenced from the original GO report).

Ticket Processing

10. Members will, by the end of each shift:
 1. remove each completed VT and staple all copies together, and
 2. place the completed VTs in the Supervisor's basket for review.
11. The Supervisor will, at the end of the shift or beginning of next shift:
 1. review the completed VTs submitted,
 2. reject and return any incomplete or illegible VTs to the Members, and
 3. place reviewed VTs in the reviewed VT basket within the Records Services Section (RSS).

12. SCBCTAPS data entry personnel will:

1. review the VTs,
2. reject and return incomplete or illegible VTs to the Supervisor,
3. enter on PRIME complete VTs, and
4. place Member copies of VT in the Member's mail slot.

13. The RSS will send the "VT Admin" copies of the VTs to the ICBC Ticket Unit within 10 days of service, where possible.

Withdrawal or Reduction of Violation Ticket

14. VTs may be withdrawn in certain circumstances, such as errors in the document, replacement VT issued, or personation. Members seeking to withdraw or reduce a VT, within thirty days from the service date, will complete a "Police Cancellation Form for Violation Tickets."

1. The request will contain:
 - a. Violation Ticket Number,
 - b. Violation Date and Service Date if different from Violation Date,
 - c. Driver's Licence Number (if possible) and/or name of the alleged offender,
 - d. Name of the Act or Regulation, including the section number,
 - e. statement requesting withdrawal of ticket and reasons why, and
 - f. signature of the Supervisor.
2. The Member must immediately make reasonable attempts to contact the served party to advise of the withdrawal.

Note: *ICBC must receive a withdrawal notice in writing from the issuing Member or Officer in Charge within thirty days of the service date. The Offence Act states that a ticket is deemed guilty if not paid or disputed by the thirtieth day.*

15. The Member will submit the completed form to the RSS for submission to the ICBC Ticket Unit.

Note: *ICBC will cancel the offence. If the alleged offender has disputed the VT before receiving the cancellation request from the Member, the Member will be notified to make the withdrawal through court. If the alleged offender has paid the fine before receiving the cancellation request from the Member, ICBC will check for any other outstanding debts owed to ICBC or to Courts before arranging for a refund to be sent to the offender. ICBC has the authority to re-allocate refunds to pay other outstanding debts on the same individual's record.*

16. After thirty days of the service date, the issuing Member may no longer withdraw a VT.

Note: *In these cases, the offender may apply to the Court for a hearing to have the ticket removed from the record of convictions, if there is a valid reason for removal.*

17. In exigent circumstances, the Inspector Operations or designate may cancel a VT issued by Member, unless otherwise determined by the Deputy Chief Officer. The following procedures will be followed:
1. the Watch Commander will review the VT of issue and submit recommendation to the Inspector Operations,
 2. the Inspector Operations will review the VT of issue and Watch Commander's recommendation and, if cancellation of the VT is determined the appropriate action, the Inspector Operations will:
 - a. contact the Informatics Manager to coordinate appropriate documentation on PRIME, including adding record of the Inspector's reason of cancellation, and
 - b. if the VT has already been submitted to ICBC, initiate the VT cancellation in accordance with ICBC procedures.

Personation

18. When a VT has been served on someone other than the person named on the ticket, Members may make a written request to ICBC, under the Offence Act, at any time to cancel the VT.

Note: *After 30 days, only ICBC can request VT cancellation because of personation.*

19. Upon receipt of ICBC notification of an alleged personation, the SCBCTAPS RSS will open a GO on PRIME and notify the Member issuing the ticket and the Member's current Supervisor. The Member will conduct an investigation unless otherwise instructed by the Supervisor.

Provincial Appearance Notice (PAN)

20. VTs may only be served when a specified, indicated (monetary) penalty may be applied to the particular offence charged.
1. The Provincial Fines Booklet and/or Quick Reference for Traffic Law Enforcement list indicated penalties, and are updated regularly.
 2. The Fines Booklet and Quick Reference guides also specify those offences that must be prosecuted by "Court" (Report to Crown Counsel (RTCC) and the swearing of a long-form information).
 3. Copies of the Provincial Fines Booklet and Quick Reference for Traffic Law Enforcement are available from the Court Liaison Officer.
21. Despite an indicated (monetary) penalty being specified for a particular offence, a Member MAY, instead of serving a VT, compel a violator to appear in Provincial Court by service of a PAN.

1. Exercising the option to compel an accused to attend court must be considered in the case of serial offenders, or instances of particularly dangerous or uncaring behaviors, or in any circumstances in the public interest.
2. A RTCC must be completed and forwarded in any case where a PAN has been served, or if a summons is to be requested.
3. All PANs are returnable to the courthouse address in the jurisdiction where the offence occurred. PANs are to be issued with a court date of five weeks after the date of the offence.
4. All completed RTCCs and PANs are to be submitted to the Watch Commander within ten (10) days of the offence. RTCCs with PANs will then be forwarded to Court Liaison.

Ticket Storage and Retention

22. Members will retain their copies of VTs in their VT storage box and retain accompanying notes for Court and other investigative purposes.
23. VTs will be retained for a minimum of two years.
24. After the retention period has lapsed, Members will place the VTs in a locked shredding box in the police building.

[See also: OD200 - Reports to Crown Counsel, OD210 - Fare Enforcement, OF020 - Exhibits / Property Control]