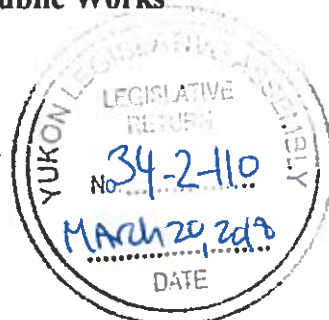


LEGISLATIVE RETURN

SUBMITTED BY: Hon, Richard Mostyn Minister of Highways and Public Works

1. On November 27, 2017, the Member for Copperbelt South
asked the following question during the Oral Question Period
at page(s) _____ of *Hansard*



- X submitted the following written question – WQ No. 21
- gave notice of the following motion for the production of papers – MPP No. _____

RE: Abandoned Vehicles

- According to the *Motor Vehicles Act*, there are occasions where the services of a towing company may be called upon to tow, recover, store or impound a vehicle. With this in mind:
- Can the Minister confirm that if a vehicle is seized by an officer according to s.109 or s.113 of the *Motor Vehicles Act*, that all reasonable costs related to the removal and storage of a vehicle constitute a debt owing to Yukon government by the registered owner, and if so, that the cost for the towing services should be paid for by YG if the registered owner does not settle these costs with the towing company directly?
- How many related complaints were resolved this year?
- Is it correct that if a vehicle is left on public or private property without permission of the owner or person in lawful possession or control of the property for more than 72 hours, the vehicle is deemed abandoned per s.110 of the *Motor Vehicles Act*?
- If this is the case, is a person able to contact the RCMP or the MVB to request the removal of an abandoned vehicle?
- Are the costs of removal/storage to be paid for by YG, who in turn has the ability to pass those costs on to the registered vehicle owner?
- Is there an established process or protocol for submitting a bill to YG for services rendered by a company at the request of an officer?
- Can you explain the disparity between the recourse available to the Yukon government in collections fees and costs associated with a contravention of the act compared to the recourse available to a private business called in to assist?
- The daily impound rate, as imposed by the Impound Regulation (1999), has not been adjusted in 18 years and is among the lowest, if not the lowest, in the country. Considering the changes in property values, insurance rates and costs in general, is the Minister able to adjust the daily impound to rates that are comparable to the rest of the country?

OR

2. This legislative return relates to a matter outstanding from discussion related to:

_____ on _____ at page(s)

of *Hansard*. _____

The response is as follows:

All reasonable costs related to removing an abandoned vehicle and its storage is a debt owing to the Government of Yukon.

Abandoned Vehicle Process: If the abandoned vehicle presents an immediate safety concern, we will move the vehicle so that it does not interfere with road maintenance activities or with traffic on the highway. Motor Vehicles will pay the towing operator invoice and will then recover the costs from the last known registered owner.

When there is no immediate safety concern, Motor Vehicles contacts the last registered owner and requests that they remove the vehicle. However, if the vehicle is left for more than 72 consecutive hours it is deemed to be abandoned and will be removed from its location, whether it's on private property, public property or highway and will be stored.

In both circumstances noted above, the last known registered owner(s) is sent a registered letter from Motor Vehicles that:

- identifies the costs associated with the towing and storing of the abandoned vehicle; and
- notifies the owner that these costs must be paid and the vehicle must be removed from the storage facility within 30 days.

Vehicles that are still in the possession of the towing company, after the 30-day notification period, will be liquidated and Motor Vehicles is responsible for paying the tow operators for any costs associated with the tow, storage and disposal of the vehicle.

Reporting Abandoned Vehicles: The public should report abandoned vehicles to the RCMP. Once the RCMP completes an investigation, the report is provided to Motor Vehicles. On receiving the RCMP report, Motor Vehicles will contact the last registered owner and request that they remove the vehicle.

Tow Operator Compensation: In an effort to address tow operator concerns regarding the compensation process for costs incurred as a result of removing abandoned vehicles, Motor Vehicles has implemented a strict process that must be adhered to by officers and tow operators alike. This process ensures that the legislative requirements are met and that tow operators are compensated for the valuable service that they provide.

Impound Rates: The *Motor Vehicles Act* is scheduled to be reviewed in the near future. When the *Motor Vehicles Act* and Motor Vehicle Regulations are open for review, the recommendations put forth will be taken into consideration.

18/03/20
Date


Signature