

NOTICE AND ORDER

PM CVI CVPE Police Peace Officer

The undersigned peace officer has reasonable and probable grounds to believe that the vehicle described below, driven by:

Driver Last Name		Given Names		
Driver Licence No.	Prov/State	Expiry Date	DOB (YYMMDD)	
Owner Last Name		Given Names		
Address		City	Prov/State	Postal/Zip Code
Year	Make	NSC No.	Jur	
PU	Reg.	Lic	Prov/State	Vn.
T1	Reg.	Lic	Prov/State	Vn.
T2	Reg.	Lic	Prov/State	Vn.

on the [] day of [] . 20 [] at [] hours on

Highway (if applicable) at or near Place/City/Town

does not comply with the Motor Vehicle, Commercial Transport, Transport of Dangerous Goods or Passenger Transport Act and Regulations. The driver/operator is hereby given notice to:

- 1. Promptly repair or remedy the defect(s) or omission(s) noted below and present this Notice with the vehicle within ___ days to
- 2. Promptly bring the vehicle to a Designated Inspection Facility to determine compliance with the Motor Vehicle Act and Regulations (Division 25).
- 3. Promptly repair or remedy the defect(s) or omission(s) noted below and present this Notice with the vehicle within ___ days to

Notice & Order

This is an Order Issued by a Peace Officer under the Motor Vehicle Act Regulations that must be complied with. (See detailed instructions on reverse)

Item	Description of Defect/Violation	Office Use Only
Driver/Documents	1.	
Brakes	2.	
Coupling Devices	3.	
Exhaust	4.	
Body / Frame	5.	
Fuel System	6.	
Lights	7.	
Load Security	8.	
Steering	9.	
Suspension	10.	
Tires	11.	
Wheels / Rims	12.	
Wipers	13.	
Other	14.	
PU CVIP Decal #	T1 CVIP Decal #	T2 CVIP Decal #
Peace Officer (Print)	Badge No.	Signature
Issuing Agency	Address / Postal Code	

MV3073 (10/2005)

Notice and Order

What is a Notice and Order?

A Notice and Order (N & O) is a provincial legal document informing the driver or registered owner of a vehicle that they, or the vehicle, do not meet the requirements of a specific Act or Regulation. Unlike a Violation Ticket, a Notice & Order does not include a fine or driver licence demerit points, however the Order may require that identified defects be remedied or repairs made, or to require a driver to obtain or produce certain documents or certifications. Once complete, most often the vehicle would be required to report back to the issuing officer or agency, or that the vehicle undergo a complete mechanical inspection at a Designated Inspection Facility (DIF). If an Order is not complied with in the time indicated by the issuing officer, there is potential for the driver or registered owner to be issued a Violation Ticket or further enforcement action, up to and including removing the vehicle from the road until defects are repaired and any required inspections are complete.

What Acts and Regulations are applicable on a Notice and Order?

- BC Motor Vehicle Act and Regulations
- BC Commercial Transport Act and Regulations
- BC Passenger Transportation Act and Regulations
- BC Transport of Dangerous Goods Act and Regulations

Who has the authority to issue a Notice and Order?

- Any Peace Officer with authority to enforce the specific Acts and Regulations noted above has the ability to issue a Notice and Order. This may also include a Peace Officer with authority to enforce the other applicable Acts/Regulations. This includes:
 - Police Officers;
 - Commercial Vehicle Safety & Enforcement (CVSE) Officers; or
 - Any Peace Officer authorized to enforce the Motor Vehicle, Commercial Transport, Passenger Transportation, or Transport of Dangerous Goods Acts and Regulations.

Why did I receive a Notice and Order?

If a Peace Officer issues a Notice and Order, it means that you and/or your vehicle are operating on a public roadway in non-compliance and could have one or more safety defects that are contrary to the Motor Vehicle Act/ Regulations. It could also mean the driver and/or vehicle is in non-compliance to any of the other applicable Acts/Regulations.

What do I do when I receive a Notice and Order?

There are three levels of Notice and Order which can be issued. These are noted on the form as Box 1, 2 and 3. Each type or level can be applied to the Power Unit (PU), trailer 1 (T1) or trailer 2 (T2).

PU	T1	T2	
1	1	1	Immediately remove the vehicle from the highway until such time as it complies with the Motor Vehicle Act and Regulations (Division 25).
2	2	2	Promptly take the vehicle to a Designated Inspection Facility to determine compliance with the Motor Vehicle Act and Regulations (Division 25).
3	3	3	Promptly repair or remedy the defect(s) or omission(s) noted below and present this Notice with the vehicle within ____ days to

Level 1 (Box 1) – Means:

- The vehicle is immediately removed from the road and cannot be operated on highway until such time as it passes a complete mechanical vehicle inspection at a DIF;
- The Peace Officer may specify where the vehicle is to be towed to, for the purpose of inspection and testing; and
- Tow costs are at the registered owner/driver's expense.

Level 2 (Box 2) – Means:

- The Peace Officer has ordered the driver/registered owner to take their vehicle promptly to a DIF, have it repaired immediately and pass a complete mechanical vehicle inspection within 30 days;
- The vehicle is not out of service and may be driven from the location;
- The key word here is 'promptly'. This does not mean you have 30 days to drive around prior to having the vehicle inspected and repaired. This level provides a window of 30 days for the vehicle to have repairs completed and then to obtain a passed inspection at a DIF.
- If the Box 2 N & O is not satisfied within 30 days, the driver operating the vehicle on highway is subject to a fine of \$598.00; and
- Escalating enforcement, such as removing the vehicle from the road, can be issued by any Peace Officer who finds a vehicle operating on highway with an outstanding N & O.

Level 3 (Box 3) – Means:

- The Peace Officer has given the driver/registered owner specific direction to achieve compliance; this will typically specify vehicle component(s) on the N & O that must be fixed, within the timeframe stated by the Officer. This is also the section used to describe non-compliant driver behaviour and/or non-compliance to the Acts/Regulations, other than the Motor Vehicle Act/Regulations;
- This level of N & O does not require a vehicle inspection;
- The vehicle component(s) must be repaired and the registered owner/driver may be required to report back to the enforcement officer or a specific agency or location, to confirm the vehicle meets

the required vehicle safety standards. This same procedure may also apply to a non-compliance issue with any of the other applicable acts/regulations;

- This section may be used by the Peace Officer to indicate a 'warning' to cease a non-compliant situation immediately.
- If the Officer observes the vehicle operating contrary to the Order, without the specified component(s) being repaired, the driver/registered owner may be subject to:
 - a fine of \$598.00 for failing to comply with the order and any other violations under the Actor Regulations; and
 - escalating enforcement, such as increasing the 'Level' (Box) of N & O.

Do I have to have my vehicle inspected or repaired?

- The registered owner may choose to not have the vehicle inspected or repaired, but would not be able to operate the vehicle until a mechanical vehicle inspection is completed and passed by a DIF. Owners may choose to destroy or dispose of a vehicle instead of repairing.
- The registered owner should inform any new owner of the vehicle if there is any outstanding Level 1 (Box 1) or Level 2 (Box 2) N & O, upon the sale or transfer of the vehicle. If the vehicle has not satisfied the requirements of the Order and passed a complete mechanical inspection by a DIF, this will cause an inability to obtain licencing and insurance from ICBC and may prevent the actual completion of the sale.

Is there a fine?

- No. A Notice and Order is not a violation ticket where a driver/registered owner receive a fine.
- Although, if not complied with, the driver/registered owner may receive a fine for failing to comply with the order, or be subject to additional violations and fines under whatever applicable act/regulation is being enforced.

Do any points get added to my driver's licence?

- No. Points do not get added to the driver's/registered owner's licence if issued a Notice and Order. A Notice and Order is not a Violation Ticket.

Is a record kept of my Notice & Order?

- Yes. A Level 1 (Box 1) or Level 2 (Box 2) N & O is recorded on the Vehicle Information Database, maintained by ICBC.
- A Level 3 (Box 3) N & O may be maintained on a database within the Peace Officer's organization.

The Peace Officer did not indicate what the violations were. Why do I still have to have an inspection?

Item		Description of Defect/Violation
Driver/Documents	1.	
Brakes	2.	
Coupling Devices	3.	
Exhaust	4.	
Body / Frame	5.	
Fuel System	6.	
Lights	7.	Office Use Only
Load Security	8.	
Steering	9.	
Suspension	10.	
Tires	11.	
Wheels / Rims	12.	
Wipers	13.	
Other	14.	
PU CVIP Decal #	T1 CVIP Decal #	T2 CVIP Decal #

- If the Peace Officer believes the vehicle does not comply and warrants a Level 1 (Box 1) or Level 2 (Box 2) N & O, the description of the defect or violation may not be indicated. Completion of this section or any notation in this section is discretionary.

The Peace Officer only indicated that my brakes were defective. Why must I have a full inspection?

- When issued a Level 1 (Box 1) or Level 2 (Box 2) N & O, a full mechanical vehicle inspection at a DIF is required. There may be more problems or suspected issues with the vehicle than just the brakes;
- The issuing officer may indicate a single item, such as brakes, however there could be further items that are also non-compliant, which could be a part of the problem.

How many things actually have to be wrong with my vehicle before I get a Notice and Order?

- The issuance of a Notice and Order is determined by the Peace Officer relevant to the severity of the vehicle defects. It is not necessarily dependent on the amount or number of defects.
- It is at the discretion of the Peace Officer to determine if the vehicle condition or a component is unsafe or non-compliant.

I disagree with the officer's findings. What can I do?

Peace Officer (Print)	Badge No.	Signature
Issuing Agency	Address / Postal Code	

You can discuss your concerns with the issuing Peace Officer or their direct supervisor. This information is outlined in the above boxes on the N&O form.

Where to find a Designated Inspection Facility?

- http://www.cvse.ca/vehicle_inspections/PDF/DIFs.pdf