



HOW TO DISPUTE A \$173 FARE EVASION FINE

Bus Riders Union
March 2007

In 2005, TransLink formed the GVTA Police Board to oversee security on public transit. The same year they raised fares, they armed the police on board skytrains with guns and raised the “fare evasion” fine from \$40 to \$173. Skytrain police spend most of their time checking and enforcing fares, and make most people feel threatened and unsafe. They target people of colour and Indigenous people, particularly youth. People now receive \$173 fines for not having the \$2.25 fare and face the threat of physical and verbal abuse if they protest. This information sheet is a part of the BRU campaign *Justice for Riders – We Won’t Ride with Fear! No guns, no racial profiling!* to help people dispute the unfair and unaffordable fines. If you have any questions or need help following the steps, call us at 604-215-2775.

WHAT WILL HAPPEN IF I DON’T PAY THE \$173 TICKET?

An offence is added to your driver’s licence. This means you cannot receive or renew your driver’s licence without paying the ticket.

I DON’T WANT TO PAY THE \$173 TICKET! WHAT CAN I DO?

You have 30 days to dispute your ticket. You can dispute either:

- *the allegation* - whether or not you committed the offence – ie. You can prove that you had paid the fare OR
- *the fine* - You agree that you didn’t have the fare in a fare paid zone, but want to dispute the amount that you have to pay

It is difficult to prove you had the fare, but you can argue that you can’t afford to pay **the fine**. At best, the fine is dropped and you don’t have to pay it. The worst that can happen is that you have to pay the fine.

HOW DO I DISPUTE THE TICKET?

You can dispute in person or by mail.

In person: Take a copy of the ticket in person to any of the following locations:

- *An ICBC driver licensing office* (Vancouver: 2750 Commercial Drive, 232 - 4820 Kingsway, 800 Hornby Street)
- *Provincial Court Registry* (Vancouver: Law Courts, 800 Smithe Street, 222 Main Street)
- See ICBC’s website for other locations
http://www.icbc.com/licensing/lic_fines_pen_ticket_dispute.asp

By mail:

Send a **copy of the front of your ticket** with a **cover letter** to:
Ticket Dispute Processing, Bag #3510, Victoria, BC V8W 3P7

The letter must state:

- Whether you’re disputing the allegation (offence) or the amount of the fine
- The violation ticket number and date (on the ticket)
- Your full name, address, driver’s licence number and birthdate
- The act and section number of the offence (this is on the back of your ticket)

The letter must be postmarked within 30 calendar days from the date you received it.

WHAT HAPPENS AFTER I FILE THE DISPUTE?

After your dispute is filed, the Provincial Court Registry will send you a *Notice of Hearing* to advise you of the time and location of your court hearing. It is usually about six months later.

What happens if I don't attend the hearing?

If you don't attend the Notice of Hearing, the ticket is treated as undisputed. You must pay the fine, and a conviction for the offence is added to your driving record.

What if I can't attend the hearing?

If, through no fault of your own, you are unable to attend the original hearing, you have an additional 30 days to apply to a justice of the peace for permission to attend a new hearing.

WHAT HAPPENS IN COURT?

Arrive 30 minutes before your court hearing to give yourself time to negotiate.

1. *If the cop doesn't show up...*

Your fine is dropped.

2. *If the cop shows up...*

Before you go into court, convince the cop to lower or drop your fine – try to get him on your side. Tell him your financial situation and why you can't pay the fine. Normally, the cop will drop or reduce it if it's your first ticket.

3. *If the cop calls in...*

Since September 2006, GVTA cops can appear in court by teleconference (on the phone) under certain conditions. However, in four months, only 10 cops used this method, for a total of 40 cases. In 2006, there were almost 40,000 tickets handed out, so this is a small number.

WHAT ELSE CAN I DO TO STOP THESE UNJUST FINES?

The Bus Riders Union has a campaign **Justice for Riders: We won't ride with Fear! No guns, No racial profiling!** We're calling on TransLink to stop enforcing fares. We believe that everyone has a right to public transit, regardless of their ability to pay. TransLink is using \$173 fines to privatize public transit – it will become a service for the privileged few, rather than a right for all. For bus riders, these fines are unaffordable, create big money problems and prevent some people from using public transit.

Join the Justice for Riders campaign!

- Fill out the BRU Public Transit Rights Violation Report Form to document your experience and send it to the BRU (you can find this form on our website bru.vcn.bc.ca)
- Come to the next BRU meeting the first Saturday of every month to share your experiences with other people and find out how to get more involved
- Organize a workshop at your school or community centre to educate your community about its rights and how we can fight for justice for riders

Check out the Bus Riders Union's campaign on our website bru.vcn.bc.ca. Call us at 604-215-2775 or email us at busridersunion@gmail.com. You can also drop by our office at the Organizing Centre for Social and Economic Justice at 672 East Broadway (at Fraser) in Vancouver.