

Applying for review

Application for Review of Roadside Suspension

This application for review applies only to roadside suspensions of 7 days or more and does not apply to 24-hour suspensions.

Filing of this application for review does not stay the suspension; the suspension will remain in effect until the Registrar's decision is reached. In some cases the suspension period may have been served before a decision is rendered.

Instructions for completing form

- Complete the form below and choose the grounds for review that apply to your situation.
- Provide details regarding your choice.
- Sign and date the form.
- Surrender your driver's licence if it has not already been surrendered.
- Attach any evidence you wish the Registrar to consider including sworn or solemnly affirmed statements.

NOTE: You must apply within 15 days of the start date of roadside suspension.

Appeal fee

The appeal fee must be paid before the application can be reviewed. Payment may be received at any Service New Brunswick office throughout the province and the completed application and proof of payment can be forwarded to the Motor Vehicle Branch via fax to 506-462-2130.

The fee for a written appeal is \$64 plus HST and the fee for an in person (oral or virtual) hearing is \$100 plus HST. Please note that an oral or virtual hearing is only offered for roadside suspensions B (30 days only), C or D.

Any questions regarding this form can be directed to the Department of Justice and Public Safety, Motor Vehicle Branch at 506-453-2410.

The Registrar will consider the application within 10 days of receipt of a written application and if an oral or virtual hearing is requested it will be held within 20 days of receipt of the application. If an applicant fails to appear for an oral or virtual hearing without prior notice they will be deemed to have waived their right to an oral or virtual hearing.

You will be advised in writing of the Registrar's decision regarding your application. If satisfied with the application and that grounds have been established to support the appeal, the Registrar may order the reinstatement of driving privileges, remove the suspension from your driving record and refund the application fee.

The Registrar's decision on this application does not nullify any fees owing to an impoundment facility if a notice of impoundment was issued in conjunction with the roadside suspension. All outstanding fees must be paid to the facility before an impounded vehicle will be released.

Name of applicant	Date of birth (dd mm yyyy)	Licence number	Telephone
Address			Postal code
I am requesting a review of the following roadside suspension as identified on the Notice and order of suspension:			

SUSPENSION A OR B

- ☐ SUSPENSION A - Novice driver refuse to comply with demand, presence of alcohol or drugs, or Poor Performance on SFST (7 days)
- ☐ SUSPENSION B - Blood alcohol suspension - BAC 50 mg or greater or poor performance on a SFST
 - ☐ 7 days ☐ 15 days ☐ 30 days

I am applying for review of suspension A or B on the following grounds:
(Choose the applicable reason and provide details.)

- ☐ I was not the driver of the vehicle.
- ☐ I was not advised of my right to request a second test on a different approved screening device.
- ☐ I was not provided with a second test on a different approved screening device.
- ☐ A written statement of the revocation and suspension was not provided.
- ☐ The approved device did not produce a result applicable to the roadside suspension issued. (ie: presence of alcohol or BAC of 50 mg or greater)
- ☐ The results of the analysis are not reliable.
- ☐ I did not fail or refuse to comply with a demand to provide a sample of breath or blood, or submit to a Standard Field Sobriety Test (SFST)
- ☐ I did not perform poorly on an Standard Field Sobriety Test (SFST)

SUSPENSION C OR D

- ☐ Operation while impaired, Alcohol Impaired Driving (Approved Screening Device Fail) or refuse to comply with demand

I am applying for review of suspension C or D on the following grounds:
(Choose the applicable reason and provide details.)

- ☐ I was not the driver of the vehicle.
- ☐ A written statement of the revocation and suspension was not provided.
- ☐ The results of the analysis are not reliable.
- ☐ I did not fail or refuse to comply with a demand.
- ☐ I did not perform poorly on an evaluation.

Type of review requested (check one)

- ☐ Written (\$64 plus HST)
- ☐ In person or virtually with Microsoft Teams (\$100 plus HST –only available for suspension B (30 days) or for Suspension C or D)

Details (required) *If necessary, please provide details on a separate page.*

Signature of Applicant

Dated this _____ day of _____ 20 _____