



If you dispute a ticket you will have a hearing in court.

## Disputing a ticket

You may receive a ticket for offences under BC laws including the *Motor Vehicle Act* and regulations, the *Liquor Control and Licensing Act*, and the *Cannabis Control and Licensing Act*. If you dispute the ticket, a judicial justice will usually conduct the hearing. A police officer or lawyer will present the evidence against you. You will have a chance to question witnesses and to testify and present witnesses as well. It helps to be prepared for your hearing.

You must file your dispute **within the time set out on the ticket**. Be sure to include your complete contact information.

Check your ticket for instructions on how to dispute it. You can also find information on the government website, *Ticket information in British Columbia*. If you need an interpreter, ask for one when you file your dispute. You will receive a *Notice of Hearing* by email or mail telling you your court date.

[Violation ticket notice of dispute \(Government of BC\)](#)

[Ticket information in British Columbia \(Government of BC\)](#)

## Asking for a lower fine

If you agree that you committed the offence but think your fine should be lower than the amount shown on your ticket, say so when you file your dispute. Explain in detail why you think you should pay less. If you need more time to pay the fine, explain why when you file your dispute. A judicial justice will review your reasons and make a decision. Alternatively, you can request to go before a judicial justice.

- A justice cannot give you a lower fine unless you admit to being guilty or you are found guilty after a hearing
- There are some fines that a justice cannot reduce below the minimum set by law, but

they may give you time to pay if you ask and explain why you need it

- If you don't ask for time to pay, or if a judicial justice does not give you time to pay, the fine will be due immediately
- Penalty points for the offence on the ticket are set by regulation; a judicial justice cannot reduce the penalty points for that offence

## Changing a hearing date

If you need to change a hearing date, fill out and send in an *Application to Adjourn a Hearing* form as soon as possible. Explain in detail on the form why you cannot have your hearing on the scheduled date. Attach copies of any supporting documents you have such as your trip itinerary, hotel reservations or doctor's letter.

If you do not show up in court on the date on your *Notice of Hearing* and you have not been given a new date indicating that your *Application to Adjourn a Hearing* has been granted, your ticket will be treated as if you did not dispute it.

[Application to Adjourn a Hearing form \(Government of BC\)](#)

## Preparing for the hearing

If you get a traffic ticket, here are some steps you can take.

### Find out the offence

Find out exactly what you are charged with. The ticket will show an offence, using the section number of a BC or federal law. Look up the law online in *BC Laws* (provincial) or *Justice Laws* (federal) and read the statute section. It tells you what the evidence is needed for you to be found guilty.

Write detailed notes about what happened to help you remember. Write out questions you want to ask the police officer and any other witnesses. Make notes of points you want to make when you explain to the justice.

Make three copies of any photos, maps or other documents that you want the judicial justice to consider at your hearing.

## **Find out what the police officer will say**

You can send a letter to the officer (their name, number and office address should be on the ticket) asking for a copy of all the information they have about the traffic stop. You can also ask about witnesses they intend to call to testify. Do this right after you send in your *Notice of Dispute* form. Be sure you put the date you send it on the letter.

You have a right to information including:

- A copy of the officer's notes (and a typed version if you can't read the notes or they use abbreviations you don't understand)
- Witness statements or a summary of the witness' statement to police
- A summary of what the officer states you said
- A copy of any video or audio evidence relating to the traffic stop.

Keep a copy of the letter you send and if there is no response, follow up. If you do not get the information from the officer, bring those letters and details of your follow-up efforts with you to court. At the beginning of the hearing, tell the judicial justice how you asked for information and explain that you did not receive it.

## **Sending another person to court for you**

If you are suddenly not able to attend your hearing, you can send another person to ask for a different hearing date. They might be able to ask questions of the police officer and make legal arguments to the judicial justice. But that person cannot tell your side of the story if you are not in court and they were not present at the incident. You must come to court for the hearing if you want the justice to consider your side of the story.

## **Bringing witnesses**

If you want the justice conducting your hearing to consider evidence from witnesses other

than yourself, they must come to court. The justice will not usually consider letters or written statements in a hearing.

You can get a subpoena (a court order that requires a person to attend court) from the court registry to require your witnesses to come to court or to show their employers.

## **Ticket information in British Columbia**

Information about violation tickets, including traffic tickets, such as how to dispute a ticket or pay fines. (Government of BC)



### **Provincial Violation Ticket Forms**

Forms you may need when preparing for a provincial violation ticket hearing. (Government of BC)



### **BC Laws**

List of all provincial statutes.



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