

ILO Administration for B.C. Towing and Recovery Operators



Section 1 Module 2

Understanding Impoundment Types & Impound Duration

Opening Narration

Narrator:

In this module, we'll take a closer look at the different types of impoundments in British Columbia and how long each one lasts.

Impound duration is crucial—not only for applying correct storage charges, but also for determining release dates, disposal timelines, and eligibility for programs like Refuse to Issue.

By the end of this module, you should feel confident identifying the type of impoundment you're dealing with and knowing what administrative steps follow from that classification.

Lesson 1 — Two Categories of Impoundments

Narrator:

All impoundments under the *Motor Vehicle Act* fall into one of two main categories:

1. **Behavioural Impoundments (Section 251)**
2. **Immediate Roadside Prohibition (IRP) Impoundments (Section 215.46)**

While the processes for handling them are similar, the **criteria, durations, and upgrade rules** differ.

Let's break them down.

Behavioural Impoundments (MVA s.251)

Narrator:

Behavioural impoundments are issued when a peace officer observes driving behaviours that pose significant risk to public safety.

Common behavioural offences include:

- Driving while **unlicensed, prohibited, or suspended**
- **Street racing**
- **Stunt driving**
- **Excessive speed**
- **Motorcycle seating infractions**

Standard Duration: 7 Days

A first behavioural impoundment is always **7 days**.

However, if the *vehicle owner* has a history of behavioural impoundments in the past two years, the duration increases.

Upgrade Rules (Based on OWNER History)

Type of Behavioural Impoundment	1 st Behavioural Impoundment	2 nd Behavioural Impoundment (within 2 years of the 1 st)	3 rd + Behavioural Impoundment (within 2 years of the 1 st)
Driving while unlicensed	7 Days	30 Days	60 Days
Driving while prohibited			
Driving while suspended			
Street Racing			
Stunt Driving			
Excessive Speed			
Motorcycle Seating Infraction			

- **Second impound within 2 years:** 30 days
- **Third or more within 2 years:** 60 days

Key Point:

Upgrades are based on the **vehicle owner**, not the driver.

This means a driver causing an impoundment in someone else's vehicle will not trigger an upgrade unless the *owner* has prior qualifying impounds.

When in Doubt — Check With RSBC

Occasionally, RSBC's upgrade notice may arrive late.

If your internal system shows prior impoundment history, or if the situation seems unclear, contact RSBC for confirmation:

- Email: RSBCimpoundment@gov.bc.ca
- Phone: (844) 455-1932

(Contact information: Version 7, p.2)

Immediate Roadside Prohibition (IRP) Impoundments (s.215.46)

Narrator:

Unlike behavioural impoundments, IRP impoundments occur when a driver is issued an **Immediate Roadside Prohibition** for alcohol-related driving offences.

There are two sub-types:

- **WARN Impoundments**
- **FAIL Impoundments**

WARN Impoundments

These apply when a driver's blood alcohol content falls into the "warn" range (0.05 to 0.079), and the officer believes impoundment is necessary to prevent further risk.

The durations escalate based on the **owner's WARN history within 5 years**:

Type of Immediate Roadside Prohibition	1 st Impoundment	2 nd Impoundment within a 2-Year Period of the 1 st Impoundment	3 rd + Impoundment within a 2-Year Period of the 1 st Impoundment
Warn Impoundment	3 Days	7 Days	30 Days
Fail Impoundment	30 Days	30 Days	30 Days

- First WARN: **3 days**
- Second WARN (within 5 years): **7 days**
- Third or later: **30 days**

FAIL Impoundments

FAIL impoundments apply when a driver is over 0.08, fails a breath test, or refuses to provide a sample.

Duration:

- **Always 30 days**, regardless of history.
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Lesson 2 — How Impound Duration Is Calculated

Narrator:

The clock on an impoundment starts at the moment the vehicle is received at the impound lot.

Important rules to remember:

1. **Impoundments are measured in full 24-hour days.**
Partial days do *not* count.
 2. The day of tow-in is not counted unless a full 24 hours elapse.
 3. The vehicle must remain in the lot for the *entire* impoundment period unless:
 - RSBC issues an early release (MV2713A or MV2713B), or
 - The police order early release due to stolen-vehicle status.
 4. If the impoundment period is upgraded, the new end date replaces the original one.
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Lesson 3 — Why Impound Duration Matters for ILOs

Narrator:

Correctly identifying the impound duration is essential to every administrative step that follows.

Impound duration affects:

- Storage fee calculations
- Eligibility to release the vehicle
- Timing of early disposal agreements
- Timing of normal disposal applications
- Eligibility for Refuse to Issue
- Deadlines for issuing notices
- Compliance audits

Mistakes—especially incorrect durations—are one of the most common causes of delays in RSBC processing.

Lesson 4 — Practical Scenarios

Narrator:

Let's look at a few real-world examples.

Scenario 1 — Behavioural Offence With Known History

Situation:

Your system shows the owner had a behavioural impound 18 months ago. The police paperwork lists this impound as 7 days.

ILO Action:

Contact RSBC. An upgrade to 30 days may apply.

Scenario 2 — WARN Impoundment With Prior Offences

Situation:

The MV2721 indicates a WARN prohibition, but your records show two WARNs in the past five years.

Correct Duration:

30 days.

ILO Action:

Confirm with RSBC if the upgrade notice has not yet arrived.

Scenario 3 — FAIL Impoundment

Situation:

The driver failed a breath test.

Correct Duration:

30 days — no variation.

ILO Action:

Record it as a 30-day IRP impoundment and proceed with intake.

Lesson 5 — Module Two Summary

Narrator:

To recap:

- Behavioural impoundments begin at 7 days but may upgrade to 30 or 60 days based on owner history.

- WARN impoundments escalate from 3 to 7 to 30 days depending on prior WARNs.
- FAIL impoundments are always 30 days.
- Impound periods use full 24-hour days.
- When in doubt about upgrades, always contact RoadSafetyBC.

Knowing the correct impound type and duration is essential for accurate invoicing, correct processing, and legal compliance.

End of Module 2 — Knowledge Check (Optional)

1. What section of the Motor Vehicle Act governs IRP impoundments?
2. How long is a second WARN impoundment within 5 years?
3. Behavioural impoundments upgrade based on the history of whom: the driver or the owner?
4. Are FAIL impoundments ever shorter than 30 days?
5. Who should you contact if you suspect an impoundment upgrade but have not received notification?