



# BULLETIN

## December 1, 2020

### Process Changes as Part of the Transition to SafeRoads Alberta

1. **Effective November 15, 2020** for all cases where police disclosure was requested and was **not** provided within 45 calendar days, the Board will take the following steps:
  - For oral appeals, the Board will contact the Appellant or their counsel directly to schedule their oral appeal. The hearing will be scheduled 25 business days later, or as soon as possible thereafter.
  - For written appeals, the Board will send a letter to the Appellant and the Registrar outlining submission deadlines for the parties. The submission deadlines will reflect the Board's goal to schedule the appeal for a written hearing 25 business days later, or as soon thereafter as possible.
  - Twenty-five business days will allow some time for delayed disclosure in exceptional circumstances, while maintaining 10 business days for the Appellant to complete and file their submissions.
  - The Board understands that, in exceptional circumstances, police disclosure may arrive closer to the scheduled hearing date. In those instances, the Appellant will need to consider their next steps.
2. **Effective November 15, 2020**, the Board will move to a **30-calendar-day deadline for police disclosure on all new ALS appeals**.
3. Flowing from this, **effective December 15, 2020**, for all cases where police disclosure was requested and was **not** provided within 30 calendar days, the Board will take the following steps:
  - For oral appeals, the Board will contact the Appellant or their counsel directly to schedule their oral appeal. The hearing will be scheduled 25 business days later, or as soon as possible thereafter.

- For written appeals, the Board will send a letter to the Appellant and the Registrar outlining submission deadlines for the parties. The submission deadlines will reflect the Board's goal to schedule the appeal for a written hearing 25 business days later, or as soon thereafter as possible.
  - Twenty-five business days will allow some time for delayed disclosure in exceptional circumstances, while maintaining 10 business days for the Appellant to complete and file their submissions.
  - The Board understands that, in exceptional circumstances, police disclosure may arrive closer to the scheduled hearing date. In those instances, the Appellant will need to consider their next steps.
4. **Effective November 15, 2020**, for all **written appeals** where police disclosure has been provided but the Appellant has not yet provided their submissions, the Board will send a letter to the parties outlining submission deadlines for the parties.
- If the Board does not receive submissions from the Appellant within the prescribed timeline for the Appellant, the Board will assume that the Appellant has no further submissions and wants to proceed with only what they have provided on their Application of Hearing Form. The timeline for submissions by the Registrar remains as defined by the letter.
5. Requests for Adjournment can be made to [atsb@gov.ab.ca](mailto:atsb@gov.ab.ca) in advance of the scheduled hearing. Such requests must be made in writing no less than **five business days** in advance of the hearing date, with a copy served on the other party.
- The other party will then have **one** business day to respond to the request.
  - Requests for adjournment will be heard by a single Board Member within **one** business day and will consider whether an adjournment request is appropriate in the circumstances.
  - The decision of the Board Member will be communicated to the parties immediately. If an adjournment is granted, a new hearing date will be scheduled and new timelines will be set if appropriate.
- If a situation arises that is emergent and a party requests an adjournment within the five business days before the hearing, the Board will consider next steps on an individual basis.
6. **Effective December 1, 2020**, and in accordance with the July 2020 legislative change to s. 26 of the *Traffic Safety Act*, the Board will begin to schedule appeals before a single Board Member.

The Board is implementing these changes to ensure the most efficient use of the Board's limited time while ensuring procedural fairness.