

# But for the Plan

## Driver's Licence - Medical Suspension

### Reinstatement Prior to the Appeal Hearing is Possible

Cynthia (not her real name) received a notice from the Ministry of Transportation that her driver's licence was suspended. The suspension was based on the Ministry's receipt of a doctor's report indicating that Cynthia possibly had a serious sleeping disorder - narcolepsy - which could affect her driving abilities (*note: in certain circumstances, doctors are obligated to send such a report*).

Very troubled by the suspension notice, and the serious effect it would have on her ability to get to and from work, Cynthia went to discuss her options with Ron Reaume, the Managing Lawyer at our Windsor Staff Office, who suggested that she should appeal the suspension, so that her licence could be reinstated.

Using medical files and reports obtained with Cynthia's assistance, Mr. Reaume was able to file a very comprehensive appeal with the Licence Appeal Tribunal. It included a thorough analysis as to why Cynthia's licence should not have been suspended, together with two recent tribunal decisions that were very helpful in support of this argument.

Somewhat unexpectedly, and much to Cynthia's relief, after reviewing the extensive appeal documentation the Ministry of Transportation agreed to immediately reinstate her licence. This occurred **well prior to** the hearing of Cynthia's appeal, even before the date set for the case conference.

But for the Plan, Cynthia likely would not have been back on the road just three months after having her licence suspended.