

FRO Facts

Driver's Licence Suspension

The Family Responsibility Office (FRO) helps families in Ontario receive the support they are entitled to by enforcing court-ordered support payments.

When support payments fall behind, the FRO has the authority to take enforcement action. If other enforcement actions have been unsuccessful, the FRO will carefully review the case and may begin the process of suspending the support payor's driver's licence.

How does the FRO suspend a driver's licence?

To begin, the FRO sends the support payor a First Notice warning that their licence is at risk of being suspended. If the support payor does not contact the FRO after receiving the First Notice to make arrangements to pay the support arrears or take the appropriate action to obtain a refraining order within the designated time frame on the First Notice, then the payor's driver's licence will be suspended.

If the support payor makes arrangements to pay the outstanding support or obtains a refraining order, then the case will be monitored to ensure the support payor meets the terms that they have agreed to. If the support payor does not meet the terms outlined in the payment plan or refraining order, the FRO will issue a Final Notice.

The Final Notice provides the support payor with a date to bring the payment arrangement or terms of the refraining order into compliance. If this does not happen, the driver's licence will be suspended.

How can a support payor avoid having their driver's licence suspended?

After receiving the First Notice of Driver's Licence Suspension, the support payor must choose one of the options below before the date written on the notice. The support payor can:

1. Pay the arrears.
2. Contact the FRO to enter into a Voluntary Arrears Payment Schedule (VAPS) to pay the arrears by installments, in addition to paying ongoing support. (A financial statement form will also need to be completed and submitted to the FRO).
3. Ask the court to grant a "refraining order" that will prevent the FRO from suspending the licence. A refraining order cannot be obtained after the Final Notice is sent.

What is a refraining order?

A refraining order is an order from the courts that prevents the FRO from suspending a support payor's driver's licence. One of the conditions of a refraining order is that the payor must apply for a change to the existing support order. The support payor must contact the court as soon as possible to ensure the refraining motion is heard by the court before the deadline written on the notice. It is up to the court to decide if it will grant this order.

How do I request a refraining order?

You can get a refraining order by making a motion to the court. A motion to the court is a request to the court to make an order on a simple issue. If the judge agrees with you, the judge will order the FRO not to suspend your licence.

You can make a motion for a refraining order by preparing the correct documents, serving the FRO, and going to court.

For more information on obtaining a motion for a refraining order you can visit the Family Law Information Centres located in provincial courts across Ontario. To find the nearest location or access court forms please go to www.ontariocourts.on.ca.

Can a suspended driver's licence be reinstated?

Yes. If the FRO has suspended a driver's licence, the support payor should contact the FRO. To reinstate a driver's licence the support payor may pay off all outstanding support arrears or enter into a repayment plan with the FRO.

The Ministry of Transportation charges a fee to reinstate a driver's licence.

What if the financial circumstances of the support payor have changed and they are not able to pay off the arrears and continue ongoing support?

The FRO cannot change an existing court order. If the support payor is having difficulty making support payments because circumstances have changed, the support payor will need to ask the court for a refraining order. A refraining order will direct the FRO not to suspend the support payor's driver's licence for a period of six months.

The support payor may ask the court to extend this for another three months with notification to the FRO. This will give the support payor time to apply to the court to change their current support order.

Where can I get more information?

Go to www.theFRO.ca

TTY: 1-866-545-0083

24-Hour Automated Information Line: 416-326-1818 or toll-free at 1-800-267-7263 for general information about the FRO and recent transactions on your case.

Customer Service Unit: 416-243-1909 or toll-free at 1-888-815-2757 for general inquiries such as payment information, to update your address or to request forms. Call Monday to Friday 8 a.m. to 5 p.m.

Enforcement Call Centre: 416-326-1817 or toll-free at 1-800-267-4330 for specific enforcement information. Call Monday to Friday from 8 a.m. to 5 p.m.