

April 29, 2024

Honourable Mike Farnworth
Minister of Public Safety & Solicitor General
Government of British Columbia
PO Box 9010 Stn Prov Gov
Victoria, B.C. V8W 9E2

Sent via Email: PSSG.Minister@gov.bc.ca

Subject: BCAC on Driver's License Requirements for Temporary Foreign Workers

Dear Minister,

On behalf of British Columbia's farmers and ranchers, thank you for taking the time to meet with us on the occasion of Agriculture Day, held at the Legislative Assembly of B.C. on October 24th, 2023. Our members appreciated the opportunity to discuss the needs of the agriculture sector with you and several of your colleagues in the Government Caucus.

As you know, BC Agriculture Council (BCAC) is the lead industry advocate for key sector-wide priorities in our province. Our mission is to grow a strong, sustainable, and competitive agriculture sector through building industry consensus and advancing public policy. We achieve this by delivering a unified voice for the sector to government through the 30 unique commodity groups we represent. In turn, the approximately 20,000 farm families that hold membership in these associations generate 96% of farm gate sales in B.C.

I am writing to you on this occasion in your capacity as Minister Responsible for the Insurance Corporation of B.C. (ICBC). It has come to our attention that **there is unclear language on the ICBC website regarding driver's license requirements as they relate to temporary foreign workers (TFWs)** and that this may lead to administrative decisions inconsistent with Section 34(1.1)(d)(iii) of the *Motor Vehicle Act*.

Specifically, the ICBC website states that the 90-day requirement to obtain a B.C. driver's license does not apply if you "...are a temporary foreign worker with a federal work permit designating that you are in the Seasonal Agricultural Worker Program (SAWP). Workers in the SAWP may drive for up to 12 months on a valid licence from their home jurisdiction. If you're staying longer than 12 months under SAWP and want to continue driving then you will need to get a B.C. driver's licence."

However, Section 34(1.1)(d)(iii) of the *Motor Vehicle Act* does not refer specifically to SAWP. It only states that the 90-day requirement does not apply to anyone who "... has entered into an agreement under which the person will work in British Columbia, as part of a program or in the circumstances specified by regulation, for a period longer than 6 months but shorter than one year..."

The problem is that some TFWs are in the province for between six months and one year but are not part of SAWP. For example, some workers are recruited under the Agricultural Stream of the broader TFW Program and are issued permits less than 12 months in duration. We

understand that such workers should also be eligible to continue driving for up to 12 months on a valid license from their home jurisdiction, as specified under the Motor Vehicle Act.

On January 30, 2024, this discrepancy on the website was raised with ICBC staff in writing by Reg Ens, the former General Manager of the Western Agriculture Labour Initiative, a BCAC subsidiary that works with farm employers and other stakeholders to address the labour needs of the sector. Unfortunately, we have yet to receive a response and the discrepant language is still included on the ICBC website.

We are asking you to **direct ICBC staff to address the discrepancy on this ICBC webpage** (<https://www.icbc.com/driver-licensing/moving-bc/moving-from-another-country>) as well as any associated webpages or internal guidance documents, or to provide a written explanation as to why only SAWP is specified on the webpage. Such clarification would be very helpful as workers participating in SAWP and the Agricultural Stream begin arriving in B.C. this spring.

Should you require any additional information or details, or if a meeting with your staff may be helpful, please do not hesitate to contact Danielle Synotte, BCAC's Executive Director, via email at dsynotte@bcac.ca or via telephone at 604-854-4454.

Thank you for your prompt attention this matter, and I look forward to any future opportunity to collaborate on advancing the sustainability of agriculture in B.C.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Woike', with a large, stylized loop at the end.

Jennifer Woike, President
BC Agriculture Council

CC: Hon. Pam Alexis, Minister of Agriculture and Food
Hon. Harry Bains, Minister of Labour