
This plan will apply to all employees, including owner-operators, who drive P.S.V. or regulated vehicles that is not a P.S.V. with a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 4,500 kg or more or operators of buses used for the transportation of passengers with a seating capacity of eleven or more including the driver on behalf of the Motor Carrier and/or Operator.

DRIVER QUALIFICATION FILE

1. It is recommended that the Motor Carrier/Operator establish a separate file for each regulated driver.

Records to be maintained in each driver file include:

- a) Driver licence disclosure
- b) Traffic accident / conviction disclosures
- c) Driver record (abstract)
- d) Records of annual driver fitness review
- e) Records of any corrective and/or disciplinary action
- f) Copies of dangerous goods training materials and certificates

DRIVER QUALIFICATION

2. Driver disclosure records must be maintained for a period of at least two years after receiving the submission. MR 119/2014 Sec. 6.1(1)
3. Before first being engaged to drive a regulated vehicle the Motor Carrier/Operator will obtain:
 - a) Driver licence disclosure. HTA Sec. 318.1(1)
 - b) Driving record from the registrar (driver abstract). HTA Sec. 318.6(1)
4. The driver of a regulated vehicle must, without delay, disclose in writing to the Motor Carrier/Operator:
 - a) Record of all traffic accidents HTA Sec. 318.1(3)
 - b) Record of all driving convictions HTA Sec. 318.1(3)

Annual Review of Driving Record by Motor Carrier/Operator

5. During each 12-month period the Motor Carrier/Operator must: HTA Sec. 318.6(2)
 - a) Obtain the driving record from the registrar current to a date no earlier than 30 days before it is obtained; HTA Sec. 318.6(2)
and
 - b) Review the driving record and determine whether the person continues to be fit to drive the vehicle. HTA Sec. 318.6(2)

The annual driver review may also consider the following factors:

- 1) The person's current abstract
- 2) The person's safety performance
- 3) Disclosures of convictions and accidents when compared to the abstract;
- 4) Evaluation of daily trip inspection reports
- 5) Adherence to the hours of service regulations
- 6) Observed general health of the person

DAILY LOG REQUIREMENT EXEMPTION

6. **Federal** – SOR 2005-313 – Logbook Exemption Sec. 81(2)
 - a) A driver is exempt from having to maintain a logbook if **all** of the following conditions apply:
 - b) The driver operates within a 160 km radius of the driver's home terminal
 - c) The driver returns to the home terminal each day to begin a minimum of eight consecutive hours of off-duty time
 - d) The motor carrier/operator maintains accurate and legible records showing:
 - I. The driver's duty status
 - II. The driver's elected cycle
 - III. The hour at which each duty status begins and ends, **and**
 - IV. The total number of hours spent in each status
7. The exemption only applies to the logbook requirement. The driver must still be in compliance with the Hours of Service Regulations. Motor carriers/operators must retain the time records for at least six months.
8. Motor Carriers/Operators with multiple deliveries and pick-ups may:
 - a) In accordance with Schedule 2 – Section (c) permits:
 - b) if the driver is engaged in making deliveries in a municipality that results in a number of periods of driving time being interrupted by a number of short periods of other on-duty time, the periods of driving time may be combined and the periods of other on-duty time may be combined.
9. **Provincial** – MR 72/2007 – Logbook Exemption Sec. 81(2)
 - a) A driver is exempt from having to maintain a logbook if **all** of the following conditions apply:
 - b) The driver operates within a 160 km radius of the driver's home terminal
 - c) The driver returns to the home terminal each day to begin a minimum of eight consecutive hours of off-duty time, **and**
 - d) The motor carrier/operator maintains accurate and legible records showing the driver's daily hours of on-duty time, including the time each shift starts and ends
10. The exemption only applies to the logbook requirement. The driver must still be in compliance with the Hours of Service Regulations. Motor carriers/operators must retain the time records for at least six months.

HOURS OF SERVICE

Applicability

11. **Federal: SOR/2005-313** - The Commercial Vehicle Driver's Hours of Service Regulation applies to extra-provincial Motor Carriers/Operator's that have crossed a provincial, territorial or international border at least once.
12. **Provincial: MR 72/2007** - The Driver's Hours of Service Regulation applies to intra-provincial Motor Carriers/Operators that have never crossed a provincial, territorial or international border.
13. This regulation does not apply to a municipal transit bus or passenger carrying vehicle that is not a school bus or public service vehicle.

Hours of Service Limits – SOR 2005-313 and/or MR 72/2007

14. No Motor Carrier/Operator shall request, require or allow a driver to drive and no driver shall:
 - a) Exceed 13 hours driving time in a day - Sec. 12(1)
 - b) Exceed 14 hours of on-duty time in a day - Sec 12(2)
 - c) Drive after the accumulation of 13 hours without taking mandatory rest - Sec 13(1)
 - d) Drive after the accumulation of 14 hours on-duty without taking mandatory rest – Sec 13(2)
 - e) Driver after 16 hours of elapsed time between mandatory rest periods - Sec 13(3) and
 - f) Ensure at least 10 hours of off-duty time in a day - Sec 14(1)

DRIVER DAILY LOGS

Motor Carrier/Operator Requirements – SOR/2005-313 and/or MR 72/2007

15. The Motor Carrier/Operator must:
 - a) Require every driver to maintain a daily log for each day that accounts for all drivers' on-duty time and off-duty time - Sec. 81(1)
 - b) Ensure that drivers turn in the original daily log and supporting documents within 20 days, and keep them on file (in chronological order for each driver) at the carrier's principal place of business for at least 6 months - Sec. 85
 - c) Not request, require or allow any driver to keep more than one daily log for any day – Sec. 86(1)
 - d) Not request, require or allow any person to enter inaccurate information, falsify, mutilate or deface a daily log or any supporting documents in a daily log; whether it is handwritten or produced using an electronic recording device - Sec. 86(2) and
 - e) Monitor driver compliance BY CONDUCTING SELF AUDITS, and take remedial action when non-compliance is observed. The operator must record the dates on which the non-compliance occurred, the date of issuance of a notice of non-compliance, and a description of the action taken - Sec. 87(1) & 87(2)

MONITORING BY MOTOR CARRIER/OPERATOR

SOR/2005-313 and/or MR 72/2007

16. A Motor Carrier/Operator shall monitor the compliance of each driver with these Regulations. Sec. 87(1)

DISCIPLINE

17. If a driver violates the conditions of this Safety Plan, the Motor Carrier/Operator will first give a verbal warning. The second occurrence will result in a written warning. Subsequent violations will lead to suspensions and/or dismissal, dependant on the severity of the violation.

VEHICLE MAINTENANCE FILE

18. It is recommended that The Motor Carrier/Operator establish a separate file for each regulated vehicle.

Records to be maintained in each vehicle file to include:

- a) Preventative maintenance inspection, maintenance and repair schedules
- b) Daily vehicle inspection reports
- c) Periodic Mandatory Vehicle Inspection (PMVI) certificates (safeties)
- d) Commercial Vehicle Safety Alliance (CVSA) inspection reports
- e) Manufacturer's recall notices

VEHICLE MAINTENANCE

19. The Motor Carrier/Operator will develop and implement a program to ensure that all regulated vehicles with a GVWR of 4,500 kgs or more and/or buses used for the transportation of passengers with a seating capacity of eleven or more persons, including owner-operator vehicles, are in safe operating condition. The program will focus on the areas of preventative maintenance inspection, maintenance, repair schedules, Commercial Vehicle Trip Inspections, and if applicable the Periodic Mandatory Vehicle Inspections (safeties). Sec. 318.7(3)

20. The Motor Carrier/Operator will establish a system of *vehicle maintenance* under which all regulated vehicles under the Motor Carrier/Operator's control (including owner operator units) receive regularly-scheduled preventative maintenance inspections, maintenance and repair schedules.

21. Complete records will be maintained, including date, odometer reading, and description of work done.

22. **Power unit(s)**

- a) Service intervals are conducted by elapsed time mileage
- b) Preventative maintenance inspection is conducted every 7000km
- c) Maintenance (full service including oil change) every 7000km

23. **Trailer(s) and trailer convertor dollies**

- a) Service intervals are conducted by elapsed time mileage
- b) Preventative maintenance inspection is conducted every _____
- c) Maintenance (full service including greasing) every _____

COMMERCIAL VEHICLE SAFETY ALLIANCE (CVSA)

24. Commercial Vehicle Safety Alliance (CVSA) roadside/weigh station inspections – must be maintained for a period of two years after the date of an inspection.
MR 119/2014 Sec. 6.1(2)

COMMERCIAL VEHICLE TRIP INSPECTION

25. The Motor Carrier/Operator must provide the driver of any of its regulated vehicles with written or electronic copies of the inspection schedules that apply to the type of regulated vehicle that the driver is to drive or tow. MR 95/2008 Sec. 5(1)
- a) The driver must carry and produce inspection schedules - Sec. 6
- b) The items inspected during preventative maintenance inspection, maintenance, repair schedules will include items identified in the applicable Commercial Vehicle Trip Inspection Schedule “A, B, C, D or E” - Sec. 7 to 10
- c) It is recommended that the Motor Carrier/Operator provide drivers with any necessary instruction on how to conduct the daily inspection and complete the report
- d) The driver must inspect the vehicle or have it inspected for minor or major defects listed in the applicable schedule every 24 hours that the vehicle is in service - Sec. 7 (1-6)
- e) The driver of a regulated vehicle that carries a load that is not entirely contained within the regulated vehicle’s body, or
- f) Tows a trailer that carries a load that is not entirely contained within the trailer’s body
- I. Must measure and make a record of the height and width of the load - Sec. 7(7)
- g) The driver to produce inspection report to an inspector on demand - Sec. 14(1)
- h) The Motor Carrier/Operator must retain the original inspection report and certification that repairs of major defects for a period of six months after the date that the report was prepared - Sec. 22

PERIODIC MANDATORY VEHICLE INSPECTION

26. The Motor Carrier/Operator shall not permit any person to drive any of its regulated vehicles unless it has been inspected within the applicable time period and an inspection decal has been issued. MR 76/94 Sec. 3(1)

EVALUATION

27. The Motor Carrier/Operator will *evaluate the adequacy* of its preventive maintenance program by comparing the results of daily commercial vehicle trip inspections, CVSA inspections, PMVI inspections and the Carrier Profile. If inadequacies are identified take corrective action through program changes, training and/or discipline.

Company Signature: *W. H. G.* Date: *April 13/16*
Title of Signee: *Transportation Supervisor*

Manager, Motor Carrier Investigation: _____ Date: _____