

# Commercial Vehicle Operators' Safety Manual

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The Ministry of Transportation of Ontario is responsible for the province's highways and is committed to making them safe, efficient and high quality. In support of this goal, the Commercial Safety and Compliance Branch of the ministry has prepared this guide to assist commercial truck and bus operators in understanding the legislative requirements they are to meet in order to be safe and compliant on Ontario's highways.

The use of this guide should increase knowledge of the provincial safety requirements resulting in a more efficient and safe operation of truck and bus operators.

This guide is also the STUDY GUIDE for the Commercial Vehicle Operator's Registration (CVOR) written test. The CVOR test must be completed prior to obtaining a CVOR certificate. See details in Module 4 – CVOR.

The test is based on information included in this manual. Even if some sections do not apply to specific operators, it is important to read all materials in the manual prior to taking the test.

When preparing for the CVOR test, the following modules are recommended to be reviewed. Additionally, the appendices of this manual are intended for future reference and are not included in the test questions.

Module 4 – CVOR

Module 5 – Ontario Specific Enforcement Issues

Module 7 – Safety Programs, Record Keeping and Driver Files

Module 8 – Preventive Maintenance, Record Keeping and Vehicle Files

Module 9 – Hours of Service

Please note: the CVOR test is not only based on these modules; however, it may assist with focusing your study time.

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# Commercial Vehicle Operators’ Safety Manual

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## Module 1 – Introduction

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## Purpose of this Guide

Ontario highways are shared by the public and by commercial vehicles of all descriptions. Motorists have become more and more concerned about safety as a result of increasing numbers of vehicles using the highways. This increase, especially of heavier vehicles, contributes significantly to the wear and tear of the highway infrastructure.

The Ministry of Transportation of Ontario is responsible for the province's highways, and is committed to making them safe, efficient and high quality. In support of that, the Commercial Safety and Compliance Branch of the ministry has prepared this guide to assist commercial truck and bus operators to operate safely and to be compliant with the legislation that governs highway use.

The main reason for developing this guide is to help operators and drivers operate commercial motor vehicles efficiently and safely by understanding and complying with Ontario's legislative requirements. The use of this guide should increase compliance with safety requirements, resulting in a more efficient and safe operation.

Specifically, this guide was developed to:

- **STUDY GUIDE:** Provide information for the Commercial Vehicle Operator's Registration (CVOR) written test. The CVOR test must be completed prior to obtaining a CVOR certificate. See details in Module 4 – CVOR
- Help existing and future drivers, managers and operators of truck and bus companies understand applicable legislation and safe operating procedures
- Encourage operators to abide by the legislation and to implement safe operating procedures
- Provide resources and contact information to current and future operators in Ontario, Canada and the United States
- Increase cooperation and understanding between industry and government
- Help operators develop, update and implement their safety and maintenance programs
- Provide direction and information for new drivers and operators in the industry

This guide will assist operators in complying with the legislation and related regulations as follows:

- *Highway Traffic Act (Ontario)*
- *Transportation of Dangerous Goods Act (Canada)*
- *Dangerous Goods Transportation Act*
- *Compulsory Automobile Insurance Act*
- *Public Vehicles Act*
- *Fuel Tax Act*

This guide is not meant to be a substitute for this legislation. Copies of the relevant acts and regulations for Ontario are available at no cost from the [Ontario e-Laws website](#).

Copies of the federal legislation are available from the federal government.

### **Print Version of the Commercial Vehicle Operators' Safety Manual**

A copy of the complete Commercial Vehicle Operators' Safety manual can be saved or printed. The ministry does not produce printed versions of this manual.

## Intended Users

This guide is intended to assist:

- New operators in the highway transportation industry, including but not limited to, trucks that have a registered gross weight or actual weight of over 4,500 kilograms, and buses that can carry 10 or more passengers (excluding the driver)
- New operators preparing to complete the Commercial Vehicle Operator's Registration (CVOR) written test.
- Existing operators who need to have a clear understanding of their responsibilities, relevant acts, regulations and requirements
- Truck and bus operators who transport dangerous goods or have a specific requirement covered in this guide
- Maintenance staff who repair, maintain and test-drive commercial vehicles
- Safety officers responsible for ensuring the safe operation of commercial vehicles and driver safety
- Staff responsible for ensuring that administrative procedures are identified and used
- Company management seeking to comply with legislative requirements



## Highlight of Modules Available in this Manual

#	Title	Description
1	Introduction	Outline of the purpose of the Commercial Vehicle Operators' Safety Manual and the intended users.
2	Getting Started	Provides a summary of some of the items to consider when setting up a truck or bus business, including: <ul style="list-style-type: none"> <li>- writing a business plan</li> <li>- International Registration Plan (IRP)</li> <li>- International Fuel Tax Agreement (IFTA)</li> </ul>
3	National Safety Code	Provides a list of relevant standards and a summary of the 16 National Safety Codes for Canada and how they are adopted in Ontario.
4	Commercial Vehicle Operator's Registration	Provides a summary of the requirements under the Commercial Vehicle Operator's Registration (CVOR). Identifies who needs to obtain a CVOR certificate and how to apply and how a carrier safety rating is calculated.
5	Ontario Specific Enforcement Issues	Provides information on enforcement issues that are specific to Ontario, including: <ul style="list-style-type: none"> <li>- Commercial Vehicle Impoundment Program (CVIP)</li> <li>- Speed Limiters</li> </ul>
6	Facility Audit and Operator Monitoring and Intervention	Provides details on how Ontario monitors, audits and applies sanctions to operators who are not meeting their safety requirements.
7	Safety Programs Record-Keeping and Driver Files	Provides best practices of record-keeping, hiring staff and developing a safety program. Outlines the record-keeping requirements for driver files.
8	Preventive Maintenance, Record- Keeping and Vehicle Files	Provides details, sample report and requirements for vehicle maintenance and inspections. Includes: <ul style="list-style-type: none"> <li>- Daily, annual, semi-annual and CVSA inspection</li> <li>- Safety standards certificates</li> <li>- Preventive maintenance</li> <li>- Out-of-province and US operators</li> </ul>
9	Hours of Service	Describes Ontario requirements related to reducing driver fatigue. Outlines driving limitations, record-keeping requirements and an operator's responsibilities to be proactive and reactive with the monitoring of their drivers.
10	Dangerous Goods	Provides an overview of dangerous goods, including identifying them, training staff, safety requirements and information, and emergency contacts.
11	Vehicle Weights and Dimensions	Describes weight and dimensions limitations for vehicles and the oversize/overweight permit process.
12	Driver and Vehicle Licensing	Provides an overview of vehicle registration requirements and driver-licensing requirements.

#	Title	Description
13	Passenger Transportation Services	Provides a high-level overview of operating-authority requirements.
14	Cargo Securement	Provides an overview of the directive to secure a vehicle's cargo, including securing devices, requirements and commodity-specific applications.

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## Overview

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***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Getting Started – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Review information about, and consider writing, a business plan.
- ✓ Obtain information and requirements from the three levels of government – municipal, provincial and federal.
- ✓ Apply to be a registrant in the International Registration Plan (IRP).
- ✓ Report fuel taxes when operating in different jurisdictions under the International Fuel Tax Agreement (IFTA).
- ✓ Understand some of the items to consider when setting up a truck or bus business. It is important to do as much in-depth research as possible on each of these items before getting on the road.

**For information on how to apply for a Commercial Vehicle Operator's Registration (CVOR) certificate see Module 4.**

## Starting Your Business – and the Business Plan

Doing a bit of research, deciding what you really want to do, and putting that in a business plan will guide you toward success. Your business plan will also be useful if you require assistance from bankers, accountants and lawyers.

There are many resources available to help you write a business plan. These are available from libraries, bookstores or the [Ontario government website for business and economy](#).

You can use these resources to write your own plan, or you could hire a professional to help you. Whatever you decide to do, initially at least, your business plan should be fairly simple and easily updated.

Once you have a clear idea of what you will be doing, you will need to set up the business. In Ontario, businesses can be set up based upon your circumstances, such as sole proprietorship, partnership, or limited (incorporated entity) company. Each of these has different setup procedures, legal requirements and financial consequences. Since you may eventually need a legal representative to set up your business, it is worthwhile discussing with a lawyer the type of business that meets your needs.

Financial accounting is very important for the successful operation of any business. As part of preparing your business plan, you should consult an accountant to discuss financial record-keeping, business forms, choosing an appropriate year-end, tax and other records, as well as accounting fees.

In summary, you should:

- Talk to your banker about the bank's requirements.
- Talk to your accountant about accounting requirements.
- Set up your company using the services of a lawyer.
- Develop a business plan.

You may also decide to do all of the above on your own. For most people, this is a real challenge. It will take you away from your core business activities and use up valuable time. Spending a few hundred dollars working with your accountant and a legal firm may be well worth it.

**The [Canadian Business Network website](#) offers links to tools and guides designed to assist you with developing your business idea, preparing a business plan, assessing your entrepreneurial qualities – as well as providing an overview of the benefits and challenges of owning a small business.**

## Starting a Business

There are several tools and resources available to ensure that you have all the requirements to operate your business. The following sources will help you identify: permit requirements, tax accounts, employee payroll deductions, insurance requirements, registering your business and so on.

Requirements specific to truck and bus operators are outlined in future modules of this guide, such as “Commercial Vehicle Operator’s Registration.”

When you are starting a new business, it is recommended that you investigate your requirements at all levels of government – municipal, provincial/territorial and federal. As a commercial motor vehicle operator, you also should be knowledgeable of the requirements for the jurisdictions in which you operate.

What follows are sources and links to assist new business owners.

## Municipal Government

Each municipal government (city, town or county/rural municipality) has the authority to issue its own business licences within its jurisdiction. Since each municipality differs, you should consult with officials to decide how your business will be affected by local regulations, taxation, licences or zoning requirements. You may also need to obtain licences in municipalities in which you are not located but carry on business.

**Depending upon the type of business you have, other regulations may apply: health and safety, fire, transportation, environmental legislation, labour laws and so on. For more information on municipal regulations and licences, contact the clerk of the city, town, village or rural municipality where you plan to do business. The telephone numbers are available in the telephone book or through directory assistance.**

## **Provincial Government**

To assist new or future business owners, Ontario has a web section called [Business and Economy](#).

### **Starting a Business**

- Planning a Business
- Understanding the Marketplace
- Registering a Business
- Obtaining Financing
- Getting Permits and Licences
- Hiring and Managing Staff
- Developing Facilities and Property

### **Operating a Business**

- Marketing and Selling
- Researching, Growing and Innovating
- Greening Your Business
- Finding Legal Services
- Filing Taxes and Tax Information
- Incorporating Your Business
- Selling to Government
- Exiting a Business

[Ontario Ministry of Finance](#) provides tools for tax requirements.

[Ontario Ministry of Labour](#) provides tools for employees, including employment standards and health and safety.



## **Federal Government**

New or future business owners can find assistance from the federal government with its information online at [Canadian Business Networks](#)

## **Starting a Business**

- Is Entrepreneurship for You?
- Developing Your Ideas
- Developing Your Business Plan
- Business Name and Registration
- Buying a Business
- Forms of Business Organization
- Financing Your Business
- Choosing and Setting Up a Location
- Checklists and Guides for Starting a Business

## **About Canadian Business**

- Starting a Business
- Growth and Innovation
- Grants and Finances
- Taxes
- Regulations, Licences and Permits
- Export, Import and Foreign Investment
- Hiring and Managing Staff
- Business Planning
- Management and Operations
- Market Research and Statistics
- Marketing and Sales

- Selling to Government
- Copyright and Intellectual Property
- Environment and Business
- Exiting Your Business

Revenue Canada has additional tools for tax requirements and wage deduction including a publication called *RC4070 Guide for Canadian Small Businesses*. See the [Canada Revenue Agency website](#) for more information.

## International Registration Plan (IRP)

IRP is a North American agreement for the distribution of commercial vehicle registration fees. Operators with Ontario-plated vehicles operating in other jurisdictions can apply through the Ministry of Transportation of Ontario prorated offices for registration in other Canadian provinces or territories, or in individual states of the US.

Ontario implemented IRP on April 1, 2001. With the exception of charter or tour buses, all operators travelling outside Ontario with vehicles having a gross vehicle weight in excess of 11,793 kilograms or more than three axles, regardless of weight, should register in IRP. Otherwise, these operators will have to purchase separate trip permits to travel outside Ontario.

Charter or tour buses have full and free vehicle registration reciprocity in most states and provinces. For this reason, these bus operators have the option of registering in IRP or operating with only their home province/territory registration. Operators should check to see if the jurisdiction(s) they will be travelling into or through grant charter- or tour-bus reciprocity. Buses that operate in inter-jurisdictional, line-run (scheduled) services must register in IRP.

The IRP provides blanket registration for trucks and buses as an alternative to individual reciprocity agreements, and distributes truck and bus registration fees among member jurisdictions based on the number of kilometres operators travel in other jurisdictions. Vehicles will have one licence-plate and registration document (cab card), which allows travel in all jurisdictions noted on the card.

## Registering with IRP

- One registration to operate in the provinces and states
- One province or state to deal with for the IRP licence and to remit registration fees
- One province or state that collects the registration fees and distributes the fees to all IRP provinces and states

## IRP Application Process

Operators may hand in or fax IRP applications to their local prorated offices. Once they receive an application, it will be processed and a fee notice will be sent to the operator. If changes are required, the operator should contact the prorated office and send in a revised application. Once the operator is satisfied with the application, payment can be made to the local prorated office. Credentials will be given in person to the operator by the prorated staff, or sent to the operator by mail. Courier service is available at the expense of the operator. Any original documents required for the transaction must be made available to the prorated office before the credentials are released.

Under the IRP, an operator files an application in their home jurisdiction. The IRP agreement allows the base jurisdiction to collect the registration fees for the other IRP jurisdictions. These fees are based upon mileage and weight information submitted by the operator.

The base jurisdiction issues cab cards for each vehicle. The cab card is the only licence credential needed to operate a vehicle in all the member IRP jurisdictions. It lists all the IRP jurisdictions and corresponding weights that the operator has requested.

All member IRP jurisdictions are required to comply with the following three basic concepts:

1. Issuance of an apportioned licence plate
2. Issuance of a single registration document (or cab card)
3. Allowance to operate within or between jurisdictions

An IRP apportioned registration does NOT:

- Exempt an operator from the payment of motor-fuel taxes in any province or state
- Exempt an operator from obtaining a bus operating authority licence and/or a Commercial Vehicle Operator's Registration
- Permit an operator to exceed maximum height, length, width and axle limitations

Information and registration forms are available through the [Ministry of Transportation of Ontario website](#).



Issued pursuant to the International Registration Plan on behalf of the jurisdiction listed below authorizing the operation of the motor vehicle described, provided the weight (kg/lb) or number of axles does not exceed the weight or number of axles for the jurisdiction indicated.

## Ontario Apportioned Cab Card / Certificat d'immatriculation au prorata de l'Ontario

Delivré conformément au International Registration Plan au nom des autorités figurant ci-dessous et autorisant l'exploitation du véhicule automobile décrit à condition que le poids (kg/lb) ou le nombre d'essieux ne dépassent pas le poids ou le nombre d'essieux autorisés par l'autorité indiquée.

### Plate Owner / Propriétaire des plaques

Fleet / Parc de véhicules Name and Mailing Address / Nom et adresse postale

123 Trucking Inc  
456 Any Street  
Toronto, ON

MOM OM0

Address 456 Any Street  
Toronto, ON  
MOM OM0

Operating As FLEET 3  
Raison sociale

A/C No. ON00000  
N° de compte

Ont. R.I.N.  
N.I.C.  
en Ont.

Sample

Plate 000 AAA  
Effective Date 2011 04 20  
Date d'entrée en vigueur

Expiry Date 2011 07 31  
Date d'expiration

V.I.N. 5KJJABECV67AB00000  
N.I.V.

Make WSTR Model CNV Year 2007 Type TT  
Marque Modèle Année

Colour GRY Bus Seating Capacity CT  
Couleur Autobus - Nbre de places Type De Carrosserie

Tare Weight 8028 Owner Veh. No. 27-000  
Poids à vide N° du propriétaire du véhicule

### Vehicle Owner / Propriétaire du Véhicule

Name and Address John Doe  
123 Any Street  
Delhi, ON

KOK OK0

Ont. R.I.N. 1336700000  
N.I.C.  
en Ont.

This document cannot be used for vehicle transfer purposes.

Ce document ne peut pas servir à des fins de transfert de véhicule.

Jur.	R.G.W./Axles P.B.E./Essieux		Jur.	R.G.W./Axles P.B.E./Essieux		Jur.	R.G.W./Axles P.B.E./Essieux	
AB	037000	kg	MB	037000	kg	OK	080000	lb
AL	080000	lb	MD	080000	lb	ON	037000	kg
AR	080000	lb	ME	080000	lb	OR	080000	lb
AZ	080000	lb	MI	080000	lb	PA	080000	lb
BC	037000	kg	MN	080000	lb	PE	037000	kg
CA	080000	lb	MO	080000	lb	QC	000005	
CO	080000	lb	MS	080000	lb	RI	080000	lb
CT	080000	lb	MT	080000	lb	SC	080000	lb
DC	080000	lb	NB	037000	kg	SD	080000	lb
DE	080000	lb	NC	080000	lb	SK	037000	kg
FL	080000	lb	ND	080000	lb	TN	080000	lb
GA	080000	lb	NE	080000	lb	TX	080000	lb
IA	080000	lb	NL	037000	kg	UT	080000	lb
ID	080000	lb	NH	080000	lb	VA	080000	lb
IL	080000	lb	NJ	080000	lb	VT	080000	lb
IN	080000	lb	NM	080000	lb	WA	080000	lb
KS	080000	lb	NS	037000	kg	WI	080000	lb
KY	080000	lb	NV	080000	lb	WV	080000	lb
LA	080000	lb	NY	080000	lb	WY	080000	lb
MA	080000	lb	OH	080000	lb	**	*****	**

1st No. / N° de certificat

0000000

Office No. Op. No.

944-8

N° de bureau N° d'expl.

Issue Date / Date de délivrance

2011 04 29

Minister of Transportation  
Ministre des Transports

The law requires that this permit be carried in the vehicle for which it was issued while the vehicle is being operated on a highway. La loi exige que ce certificat soit conservé dans le véhicule pour lequel il a été délivré lorsque ce véhicule circule sur la voie publique.

## International Fuel Tax Agreement (IFTA)

The province of Ontario is a member of IFTA. This agreement among Canadian provinces/territories and American states simplifies the reporting of fuel taxes by commercial vehicle operators who do business in more than one member province/territory or state.

In order to register under IFTA, the minimum registered gross vehicle-weight requirement is more than 11,797 kilograms (26,000 pounds) or a unit with three or more axles, regardless of weight.

### When to Register with IFTA?

You should register for IFTA with Ontario if:

1. Your commercial vehicles are considered a qualified motor vehicle. This means a motor vehicle used for business purposes and
  - has three or more axles, or
  - weighs more than 11,797 kilograms (vehicle or vehicle and trailer).

For full details, refer to the definition of [qualified motor vehicle](#).

2. You have an established place of business in Ontario where you maintain operational control of your qualified motor vehicles.
3. You keep records for your qualified motor vehicles in Ontario or make these records available to the Ontario Ministry of Finance.
4. Your qualified motor vehicles travel in Ontario and at least one other province or state.

### Registering with IFTA

- One fuel-use licence to operate in the provinces and states
- One province or state to deal with for the IFTA licence and to report motor fuel taxes
- One province or state that collects the motor fuel taxes from you and distributes the taxes to all IFTA provinces and states based on distance travelled

The Ontario ministries of Transportation and Finance have established an industry advisory committee for IRP and IFTA. This group is composed of representatives from the Ontario Trucking Association, the Ontario Motor Coach Association, the Private Motor Truck Council of Canada, permitting agencies, private trucking firms and representatives from both ministries. The committee meets when needed to discuss issues regarding IRP service delivery in Ontario.

Information is available from the [Ministry of Finance website](#) or by calling 1-866-ONT-TAXS (1-866-668-8297) or TTY: 1-800-263-7776.

 <b>Ontario</b>	Ministry of Finance 33 King St W PO Box 625 Ottawa ON L1H 8H9	<b>IFTA Licence - IFTA 451</b> <b>Permis de l'IFTA</b> <small>International Fuel Tax Agreement          Entente internationale concernant la taxe sur les carburants</small>
Company Name / Raison sociale de la compagnie	Identification No. N° d'identification	
	Expiry Date Date d'expiration	31-Dec-2015
A copy of this licence must be carried in each qualified motor vehicle. Une copie de ce permis doit se trouver dans chaque véhicule admissible.		



## Helpful Links

**Basic Travellers Information** such as: interactive maps, road maps, weather conditions, construction, border information etc. can be found on the MTO website: [www.mto.gov.on.ca/english/traveller/](http://www.mto.gov.on.ca/english/traveller/)

**Border Wait Times** can be found on the Canadian Border Services Agencies website: [www.cbsa-asfc.gc.ca/bwt-taf/menu-eng.html](http://www.cbsa-asfc.gc.ca/bwt-taf/menu-eng.html)

**Free and Secure Trade** information can be found on the Canadian Border Services Agencies website: [www.cbsa-asfc.gc.ca/prog/fast-expres/menu-eng.html](http://www.cbsa-asfc.gc.ca/prog/fast-expres/menu-eng.html)

## Other Canadian Sites

[Transport Canada](#)

[Ontario provincial government](#)

[British Columbia provincial government](#)

[Alberta provincial government](#)

[Saskatchewan provincial government](#)

[Manitoba provincial government](#)

[Quebec Provincial government](#)

[Newfoundland and Labrador provincial government](#)

[Nova Scotia provincial government](#)

[New Brunswick provincial government](#)

[Prince Edward Island provincial government](#)

[Northwest Territories government](#)

[Yukon territorial government](#)

[Nunavut territorial government](#)

[Canadian Council of Motor Transportation Administrators \(CCMTA\)](#)

## **US Sites**

[US Department of Transportation](#)

[Federal Motor Carrier Safety Administration](#)

[National Highway Traffic Safety Administration](#)

[Insurance Institute for Highway Safety](#)

[Federal Highway Administration](#)



# Commercial Vehicle Operators' Safety Manual

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## Module 3 - Ontario Legislation and the National Safety Code

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## **Ontario Legislation and NSC – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Access the regulations under the *Highway Traffic Act* that affect commercial vehicle operators.
- ✓ Know how the NSC standards are applied and enforced in Ontario.
- ✓ Describe how the NSC relates to provincial and federal legislation.
- ✓ Describe the 16 standards of the NSC.

## Important Acts and Regulations

Several legal acts affect a commercial vehicle operator. It is important to be familiar with these acts and with their regulations. Some are federal and apply all across Canada. Others are provincial and apply only in Ontario. Many regulations are similar across Canada and through parts of the United States. But, be aware whenever your vehicles are driven into a different province, territory or state that some regulations may not be the same on the other side of the border. For more information, visit some of the websites for the specific jurisdiction in which you travel.

See Module 2, “Getting Started,” for a list of helpful links.

### Ontario Legislation

All drivers, vehicles and roadways within the Province of Ontario fall under the *Highway Traffic Act (HTA)* and its related regulations.

The regulations that primarily affect commercial vehicle operators include:

- HTA Regulation 629 (Accessible Vehicles)
- HTA Regulation 199/07 (Commercial Motor Vehicle Inspections)
- HTA Regulation 424/97 (Commercial Motor Vehicle Operators’ Information)
- HTA Regulation 577 (Covering of Loads)
- HTA Regulation 512/97 (Critical Defects of Commercial Motor Vehicle)
- HTA Regulation 340/94 (Drivers’ Licences)
- HTA Regulation 587 (Equipment) (Includes Speed Limiters)
- HTA Regulation 596 (General)
- HTA Regulation 555/06 (Hours of Service)
- HTA Regulation 601 (Motor Vehicle Inspection Stations)
- HTA Regulation 611 (Safety Inspections) (Includes On-Road Standards)
- HTA Regulation 612 (School Buses)
- HTA Regulation 363/04 (Security of Loads)
- HTA Regulation 618 (Specifications and Standards for Trailer Couplings)

- *HTA Regulation 625 (Tire Standards and Specifications)*
- *HTA Regulation 628 (Vehicle Permits)*
- *HTA Regulation 341/94 (Driver Licence Examinations)*
- *HTA Regulation 413/05 (Vehicle Weights and Dimensions)*
- *Dangerous Goods Transportation Act*
- *Compulsory Automobile Insurance Act*

### **Federal Legislation**

- *Motor Vehicle Transport Act (MVTA), 1987, T-6 RSA 2000*
- *MVTA Commercial Vehicle Drivers Hours of Service Regulations, 2005, SOR/2005-313*
- *Motor Vehicle Safety Fitness Certificate Regulation, SOR/2005-180*
- *Transportation of Dangerous Goods Act*

### **International Agreements**

- *International Fuel Tax Agreement*
- *International Registration Plan*

### **Copies of Legislation and Regulations**

Copies of the *Highway Traffic Act* and related Ontario regulations are available at no cost on the [e-laws website](#).

## The National Safety Code (NSC) and Provincial Legislation

Ontario, other provinces/territories, the Government of Canada and the transportation industry developed the NSC to help reduce the number and severity of collisions. Each jurisdiction is encouraged to use the NSC standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

It is important to note that the provincial legislation and applicable federal legislation directs operators within each province, not the NSC standards.

A complete copy of the standards is available on the [Canadian Council of Motor Transport Administrators website](#).

### NSC Standards and the Ontario *Highway Traffic Act*

The following NSC standards are listed with the applicable Ontario act and regulation. This information is included to help you know and understand how each standard is applied in Ontario.

#### NSC Standard #1 – Single Driver Licence Concept

A standard implemented by all jurisdictions that makes it an offence for a driver to hold more than one licence. In addition, a series of administrative procedures has been agreed upon to ensure driving infractions are assigned to a single licence and record.

Regulated in Ontario by:

- *Highway Traffic Act*
- *HTA*; Drivers' Licences; O. Reg 340/94

#### NSC Standard #2 – Knowledge and Performance Tests (Drivers)

A standard that sets out the process for standardized testing of commercial drivers and includes the criteria for both written and road tests. It also identifies the key elements that will be evaluated by government officials charged with administering the tests.

Regulated in Ontario by:

- *HTA*
- *HTA*; Drivers' Licence Examinations; O. Reg 341/94

### **NSC Standard #3 – Driver Examiner Training Program**

A standard designed to upgrade the skills and knowledge of driver examiners and ensure that they are consistent across Canada.

Regulated in Ontario by:

- *HTA*
- *HTA; Drivers' Licence Examinations; O. Reg 341/94*

### **NSC Standard #4 – Classified Driver Licensing System**

A standard that renders a more uniform classification and endorsement system for driver licences and ensures that a licence issued in one province/territory is recognized in all provinces/territories.

Regulated in Ontario by:

- *HTA*

*HTA; Drivers' Licences; O. Reg 340/94*

This regulation establishes the 12 classes of driver licences in Ontario: A, B, C, D, E, F, G, G1, G2, M, M1 and M2. The endorsement information explains requirements for specific supplementary driver qualifications.

### **NSC Standard #5 – Self-Certification Standard and Procedures**

A standard outlining the criteria that must be met to permit operators and driver-training schools to train commercial drivers.

Regulated in Ontario by:

- *HTA*
- *HTA; Licences for Driving Instructors and Driving Schools; O. Reg. 473/07*

This regulation establishes the training and driver-testing requirements for operators and driving schools.

### **NSC Standard #6 – Medical Standards for Drivers**

These are the medical standards for drivers from the Canadian Council of Motor Transport Administrators. Initially Standard #6 of the National Safety Code for Motor Carriers, they set the medical criteria used to establish whether drivers are medically fit to drive. This standard addresses both private and commercial drivers.

Regulated in Ontario by:

- *HTA*
- *HTA; Drivers' Licences; O. Reg 340/94*

This regulation establishes the initial medical requirements for each class of driver's licence and also the requirements for periodic re-examinations.

### **NSC Standard #7 – Carrier and Driver Profiles**

A standard that is designed to provide jurisdictions with a record of driver and operator performance in terms of compliance with safety rules and regulations. This standard supports enforcement activity to remove unsatisfactory drivers and operators from service, and identifies the type of information that will be maintained about each commercial driver and operator.

Regulated in Ontario by:

- *HTA*
- *HTA; Commercial Motor Vehicle Operators' Information; O. Reg. 424/97*

This legislation establishes the minimum list of requirements in each jurisdiction's control system, including records of infractions, collisions, on-road inspections and facility audits. The information is exchanged among Canadian jurisdictions to obtain complete operator profiles.

### **NSC Standard #8 – Short-Term Suspensions**

A standard that describes the criteria for placing a driver out of service on a short-term (24-hour) basis when a peace officer has reasonable and probable grounds to believe the driver's ability is affected by alcohol, drugs or fatigue.

Regulated in Ontario by regional and provincial police.

This legislation provides for the suspension of a driver's licence for up to 24 hours when the driver's ability to operate a vehicle is impaired by alcohol, fatigue or drugs.

### **NSC Standard #9 – Hours of Service**

A standard that describes the number of hours a driver can be on duty and operate a commercial vehicle. It outlines the requirement to complete daily logs, describes the various cycles of operation and sets out driver and operator record-keeping requirements.



Regulated in Ontario by:

- *HTA*
- *HTA*; Hours of Service; O. Reg. 555/06
- *MVTA*; Commercial Vehicle Drivers Hours of Service Regulation, (Federal), SOR/2005-313

This legislation establishes a commercial driver's allowed hours of service while travelling within Ontario and when crossing into other Canadian and US jurisdictions.

### **NSC Standard #10 – Cargo Securement**

A standard that outlines the specific requirements for securing loads to commercial vehicles, to ensure they do not shift, move or spill onto the roadway.

Regulated in Ontario by:

- *HTA*
- *HTA*; Security of Loads; O. Reg. 363/04

This regulation establishes the minimum requirements for securing loads.

### **NSC Standard #11B – Commercial Vehicle Maintenance and Inspection Standards**

A standard that outlines maintenance and periodic inspections.

Regulated in Ontario by:

- *HTA*
- *HTA*; Safety Inspections; O. Reg. 611
- *HTA*; Motor Vehicle Inspection Stations; O. Reg. 601

These regulations establish the minimum standards for the periodic inspection of commercial vehicles. Detailed procedures were developed by a task force of government and industry representatives.

## **NSC Standard #12 – Commercial Vehicle Safety Alliance On-Road Inspections**

A standard that contains the on-road inspection criteria from the Alliance.

Adopted by Ontario

- *HTA*, Section 84
- Commercial Vehicle Drivers Hours of Service Regulation (Federal), SOR/2005-313

These criteria and inspections set the minimum standards for the roadside inspection of drivers and vehicles, as established by the Commercial Vehicle Safety Alliance. Canada, the US and Mexico have adopted this program as part of their on-road enforcement programs. The criteria outline when vehicle and driver conditions constitute an imminent hazard and can no longer operate on the highway.

## **NSC Standard #13 – Trip Inspection**

A standard that prescribes daily trip-inspection requirements.

Regulated in Ontario by:

- *HTA*
- *HTA*; Commercial Motor Vehicle Inspections; O. Reg 199/07

This regulation requires drivers to conduct vehicle inspections and prepare vehicle trip- inspection reports, and notify the operator of any defects. The operator is then required to repair the reported defects before the vehicle is driven on the highway again.

## **NSC Standard #14 – Safety Rating**

A standard that establishes the motor carrier safety-rating framework by which each jurisdiction assesses the safety performance of operators.

Regulated in Ontario by:

- *HTA*
- *HTA*; Commercial Motor Vehicle Operators' Information; O. Reg. 424/97

This regulation establishes an operator's carrier safety ratings and how sanctions are imposed when necessary. This is applied uniformly across Canada. Information about the driver and the carrier profile system is exchanged through an inter-provincial system. This produces a nationally consistent assessment of an operator's safety rating performance and a way to determine whether that performance is adequate to allow continued operation.

### **NSC Standard #15 – Facility Audits**

A standard that outlines the audit process used by jurisdictions to determine an operator's level of compliance with all applicable safety standards.

Regulated in Ontario by:

- *HTA*

- *HTA*; Commercial Motor Vehicle Operators' Information; O. Reg. 424/97

This legislation establishes the requirements for the maintenance of records at an operator's principal place of business, for on-site review and assessment by government auditors of the operator's safety performance and overall compliance with NSC standards.

### **NSC Standard #16 – First Aid Training**

A voluntary standard outlining the elements that should be included in a basic first-aid course for commercial drivers.

It is recommended that drivers of commercial vehicles complete an approved first-aid training and/or an occupational health-and-safety program.

There is currently no legislative requirement in the *HTA* to support this standard.

# Commercial Vehicle Operators' Safety Manual

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Commercial Vehicle Operator's Registration – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Identify which truck and bus companies are required to register for a Commercial Vehicle Operator's Registration (CVOR).
- ✓ Understand your responsibilities as a CVOR holder.
- ✓ Know how to apply for a CVOR and gather the required information.
- ✓ Know when you need to renew your CVOR.
- ✓ Know the fees associated with the CVOR program.
- ✓ Develop an understanding of how the CVOR system works.
- ✓ Develop an understanding of the CVOR abstract.
- ✓ Know how intervention and sanctions are applied to a CVOR holder.
- ✓ Develop an understanding of the Carrier Safety Rating system.

## Introduction

The Commercial Vehicle Operator's Registration (CVOR) system and the Carrier Safety Rating (CSR) program were developed by the Ministry of Transportation as part of Ontario's ongoing commitment to road safety. These programs promote the safe operation of trucks and buses on Ontario's roadways.

Each operator is responsible for monitoring its CVOR record and the performance information it provides, including violation rates, thresholds, audit scores and resulting safety rating. The operator should identify and address problem areas in order to improve their commercial motor vehicle safety performance.

The CVOR system is part of the **Carrier Safety Rating program**. The Ministry of Transportation monitors operators and assigns each a safety rating based on several factors: collisions, inspections and convictions, as well as the results of facility audits.

The CVOR system tracks the on-road safety performance of operators of the following vehicles:

- Trucks that have a gross weight or registered gross weight over 4,500 kilograms (9,920 lb)
- Tow trucks, regardless of registered gross weight or actual weight
- Buses that have a designed seating capacity of 10 or more passengers

The goal of the CVOR system is to improve road safety for all users of Ontario highways by having an effective monitoring and intervention system for operators. Poor performance may result in the loss of privileges to operate commercial motor vehicles.

For more information on the Commercial Vehicle Operator's Registration program contact:

### **Carrier Sanctions and Investigation Office**

Ministry of Transportation

301 St. Paul Street, 3rd Floor

St. Catharines, ON L2R 7R4

Tel: 1-800-387-7736 (within Ontario only) or 1-416-246-7166

Fax: 905-704-2039



## CVOR Requirements

A CVOR certificate is required to operate commercial motor vehicles that are:

- Plated in Ontario,
- Plated in the US
- Plated in Mexico.

Vehicles that are plated in other Canadian provinces or territories – but not Ontario – do not need a CVOR certificate. They require a safety fitness certificate (NSC number) from the province or territory in which the vehicle is plated, excluding Quebec that require a numéro d'Identification au Registre (NIR).

**Note:** For-hire operators of buses, including motor coaches, school buses and school-purpose vehicles, or any other motor vehicle including cars, vans and limos may also require an operating authority under the *Ontario Public Vehicles Act* and *Motor Vehicle Transport Act* (Canada). Contact the Ontario Highway Transport Board at (416) 326-6732 for more information.

Ontario confirms the Commercial Vehicle Operator's Registration (CVOR) status of owners of trucks and buses that are required to be operated under the authority of a valid CVOR. This will be completed at the time of registration or renewal of the licence plate for their truck or bus. If a vehicle is not exempt from the requirement to hold a valid CVOR, owners may not be able to attach a licence plate or renew the licence plate on the truck or bus.

## Exemptions

Operators with certain types of vehicles do not need a CVOR certificate. These vehicles include:

- A truck or bus that is plated in another Canadian jurisdiction
- A truck, other than a tow truck, with a registered gross weight (RGW) and a gross weight of 4,500 kilograms or less, whether towing a trailer or not (see [Determining RGW](#))
- A truck or bus leased by an individual for 30 days or less to move their personal goods, or to carry passengers at no fare
- An ambulance, fire apparatus, hearse, casket wagon
- An unladen truck or bus operating under the authority of a dealer plate or service plate

- A bus used for personal purposes without compensation
- A motor home used for personal purposes
- A pickup truck used for personal purposes (for more information on personal use pickup-truck exemptions, refer to: [www.mto.gov.on.ca/english/trucks/commercial-vehicle-faq.shtml#a15](http://www.mto.gov.on.ca/english/trucks/commercial-vehicle-faq.shtml#a15))

**Note:** For current exemptions, please refer to the [Highway Traffic Act](#).

## CVOR Written Test

The Ministry of Transportation (MTO) requires all Ontario-based operators who apply for a Commercial Vehicle Operator's Registration (CVOR) certificate to complete a CVOR written test. Operators will be required to demonstrate knowledge of Ontario's safety laws by completing this test in person at a DriveTest Centre before MTO will issue a CVOR certificate.

### When Should the CVOR Test be Completed

The CVOR Test is to be completed after MTO has accepted your application for a CVOR certificate

### Who is Required to Take the CVOR Test

The CVOR test must be completed by an individual on behalf of an operator applying for the CVOR, that individual is not considered to have successfully completed the CVOR test on behalf of any other operator. This individual must be the **owner, sole proprietor, corporate officer or director of a corporation**.

### Time Limits to Complete

The CVOR test may be attempted as many times as needed; however, the test must be successfully completed within **six months** of MTO accepting the application.

### Where to Go

The CVOR test must be completed in person at a DriveTest Centre in Ontario. To find a DriveTest Centre location near you, visit the [DriveTest website](#).

### What to Bring

MTO will provide an applicant with an application confirmation letter once an application has been processed, outlining your requirement to complete the CVOR test including:

- How to locate a DriveTest Centre;
- Who is required to complete the test (owner, sole proprietor, corporate officer or director of a corporation listed on your application);
- **What to bring**
  - Copy of the application confirmation letter
  - Photo identification
  - Test fee of **\$32**.

Once the CVOR test is successfully completed, DriveTest will notify the MTO and the CVOR certificate may be issued. This requires 24-hours to process.

### How to Prepare

The CVOR test is multi-choice and based on the content of this manual, the Commercial Motor Vehicle Operators' Safety manual.

You can also prepare by completing the CVOR practice test.

New applicants are required to complete the CVOR application process and once notified by MTO by receipt of an application confirmation letter, complete the test in-person at a DriveTest Location.

You will be required to bring your **application confirmation letter** from MTO and **photo identification** with you to the DriveTest centre location in order to complete your test.

**Note:** DriveTest staff will only administer the CVOR test to those identified on the application confirmation letter from MTO. This includes the owner, sole proprietor, corporate officer or director of a corporation as per the information the applicant provided on their application form. DriveTest staff will require photo identification and a copy of the MTO application confirmation letter to confirm the identity of the individual completing the test.

**If you require a corporate officer or director to be added to your file or require a second copy of the application confirmation letter provided by MTO you must contact the [Carrier Sanctions and Investigation Office](#).**

## CVOR Operator Responsibilities

A CVOR operator is the person or legal entity responsible for the operation of a commercial motor vehicle. The operator is responsible for:

- The conduct of the driver
- The mechanical safety condition of the vehicle
- The goods or passengers on the vehicle

The operator does not necessarily need to be the vehicle owner, but must be able to immediately produce a valid CVOR certificate for the legal entity when using vehicles that are leased or contracted.

Operators are responsible for all the drivers and vehicles in their operation. For example, these responsibilities include:

- Employing qualified and licensed drivers
- Monitoring the safety performance of drivers, including hours of service
- Resolving driver safety issues when they are identified
- Keeping vehicles in good, safe condition at all times
- Ensuring load security
- Ensuring that daily and annual/semi-annual inspections are completed
- Keeping records on file (for example, vehicle repairs, kilometres travelled per year, annual inspection reports and so on)
- Notifying the ministry of changes such as name, address, telephone numbers, fleet data, kilometric travel, changes in corporate officers and so on

Among other Provincial & Federal legislative requirements, operators must comply with all regulations and legislation under the [Highway Traffic Act](#) in order to operate a business in Ontario. Failing to comply may result in sanctions or loss of operating privileges.

## CVOR Application

To apply for a CVOR certificate, an operator must complete a Commercial Vehicle Operator's Registration certificate application and pay the required fee. Operators can print the application [form and guidelines](#)

Operators can also obtain an application form by contacting [Carrier Sanctions and Investigation Office](#)

## CVOR Application Requirements

The CVOR application requires information about the operator such as:

- Type of operation
- Corporate officers, directors and partners
- Fleet size
- Kilometres travelled
- Authorized signature

Upon completing the application process, new applicants are required to complete a CVOR written test. New Ontario-based applicants must successfully pass the CVOR test prior to being issued a CVOR certificate and obtaining the ability to operate on Ontario roads.

Additional documentation may be required for new applicants (for example, articles of incorporation, master business licence and so on).

After the Ministry receives and processes the completed application, the CVOR certificate will be mailed to the operator.

## Renewal of Your CVOR Certificate

CVOR certificates are assigned an expiry date. New applicants for CVOR certificates will be assigned an expiry date at time of issuance.

Annual renewal will be required for all operators, except those with Carrier Safety Ratings of "satisfactory" or "excellent". These operators will be required to renew their certificate only every two years.

Operators will be sent a notice 60 days prior to expiry. An operator that does not renew prior to the expiry date is liable to a fine and possibly to imprisonment, [under section 21\(2\) of the Highway Traffic Act](#), if one or more of its commercial motor vehicles is found operating on an Ontario highway.

## How the CVOR System Works


The CVOR system monitors an operator's record over a two-year period. This automated computer system contains information that includes:

- Operator information
- Convictions
- Reportable collisions
- Safety inspections (conducted to CVSA criteria)
- Ministry interventions (for example, letters, interviews, audits and sanctions)

The CVOR certificate identifies the operator and contains a unique nine-digit identification number. A copy of the certificate (or original) must be carried in each commercial motor vehicle operated under the CVOR certificate. Operators must surrender the certificate for inspection purposes when requested by an MTO enforcement officer or police officer.

## Jurisdictions Outside Canada

Operators of commercial motor vehicles in Ontario that are plated in any jurisdiction outside Canada must apply for, and obtain, a CVOR certificate.

			
Issued pursuant to the Highway Traffic Act / Délivré en vertu du Code de la route			
<b>Commercial Vehicle Operator's Registration Certificate</b> <b>Certificat d'immatriculation d'utilisateur de véhicule utilitaire</b>			
Commercial Vehicle Operator's Registration No. N° d'immatriculation d'utilisateur de véhicule utilitaire		<b>123-456-789</b>	
Name / Nom <b>123 TRUCKING INC</b> O/A			
Expiry Date / Date D'expiration		<b>Y/A</b> 2019	<b>M</b> 07
		<b>D/I</b> 13	

## Lease

Where a lease is involved, it must identify both the vehicle and the lessee's CVOR number if the CVOR certificate is not carried in the vehicle. Documented proof of the lease must also be carried in the vehicle.

## Reporting CVOR Changes or Errors

(Current CVOR Registrants)

Under the *Highway Traffic Act (HTA)*, changes to corporate officers (officers, directors or partners), operator name or address must be reported to the ministry within 15 days. Changes to shareholders should not be reported.

The *HTA* requires that changes to fleet size and kilometres travelled must also be reported to the Deputy Registrar. A change that increases or decreases an operator's fleet size by more than 20 percent must be reported within 15 days after the change. Updated operator information must also be reported to the Deputy Registrar upon receiving a request for this information. **Failure to do so could result in charges being laid against the operator and is a condition of retaining a CVOR certificate.**

A new certificate will **only** be issued for changes to the operator name, or if a replacement is required due to loss, damage and so on. All name changes require proper and legal supporting documentation.

### Corporate Officers/Directors

If there is a change of corporate officers and/or directors, the operator must [contact MTO Carrier Sanctions and Investigation Office](#) to have a CVOR update application sent to them.

### Fleet Size/Kilometres Travelled

If there is a change in fleet size or kilometres travelled, the operator must contact MTO [Carrier Sanctions and Investigation Office](#) to have a CVOR update application sent to them.

**Note:** Changes to fleet size and rate of travel **are not** automatically captured through the province's vehicle registration system (for example, licence-plate renewal, permit purchase or deletion).

### Name/Address

Name or address changes for an individual can be made at a driver and vehicle licence-issuing office through the vehicle registration system.



Address changes for a corporation can be made at a driver and vehicle licence-issuing office.

Name changes for a corporation must be made through the Licensing Administration and Support Office by mail, at Bldg A, 87 Sir William Hearst Ave, Toronto, ON M3M 0B4, by telephone at (416) 246-7103, or by fax at (416) 235-4414.

**Note:** A new CVOR certificate will be issued for name changes, but not for address changes.

### **The Operator's Fleet Size**

All commercial motor vehicle's must be reported as part of an operator's fleet size including all trucks (leased, rented and owned) having a gross weight or registered gross weight of more than 4,500 kilograms, all tow trucks and all buses. (A bus is a motor vehicle designed to carry 10 or more passengers, not including the driver.) Trailers and converter dollies are not counted as part of the fleet size.

These include:

- All commercial motor vehicles in an operator's fleet that are plated in Ontario, the US or Mexico

These do not include:

- Any commercial motor vehicles in an operator's fleet that are plated in **other** Canadian jurisdictions
- Any trailers and trailer converter dollies in an operator's fleet

### **Fleet/Kilometric Data**

The *Highway Traffic Act* requires operators to report fleet size and travel information to the ministry within 15 days after a change in the fleet size of 20 percent greater or less than last reported, as well as upon request. If the fleet size or rate of travel fluctuates throughout the year, the average rate of travel in Canada for the fleet operating in or through Ontario should be reported.

Operators must maintain records (over a period of up to 24 months) demonstrating the kilometres travelled by the trucks and buses in its fleet.

Operators must report any significant changes in:

- Total kilometres driven in Ontario
- Total kilometres driven in all other Canadian jurisdictions

- Total kilometres driven outside of Canada

**Note:** For more information on determining fleet size and rate of travel please contact MTO [Carrier Sanctions and Investigation Office](#).

## CVOR Abstracts

A CVOR abstract is a document that displays information about an operator and that operator's safety performance. There are three CVOR abstracts available:

- **Public CVOR Abstract (Level I)** is a one-page document available to the general public summarizing an operator's record over a two-year period.
- **Carrier CVOR Abstract (Level II)** is available only to the operator or their authorized agent, and includes summary data over a two-year period, as well as detailed event data for collisions, convictions and inspections for a five-year period.
- **CVOR Driver Abstract** is a five-year record of collisions associated with a conviction of the driver for a safety-related offence, convictions and inspections relating to the driver (while operating a commercial motor vehicle in Ontario only). The driver-licence status and medical due date are also shown.

### Carrier CVOR Abstract (Level II)

Collisions, convictions and inspections appear on a Carrier CVOR Abstract (Level II) in the following ways:

#### Collisions

Reportable collisions that occurred in Ontario are received by MTO from the police. Reportable collisions that occurred in other Canadian jurisdictions are reported by those jurisdictions via a Canada-wide, data-exchange system. Only those out-of-province collisions that occurred after April 1, 2007, will appear on a carrier abstract. A "reportable accident" involves damage over \$2,000 and/or personal injury.

Collisions are assigned points based on the severity of the collision and other information on the motor vehicle accident report. The report may also include written information on charges laid.

Collisions where no improprieties or vehicle defects are noted on the police report appear on the operator's CVOR record but do not incur points (for example, zero pointed). Collisions reported at a collision reporting centre (self-reporting) are also included on the operator's record and may also be pointed.

## Convictions

An officer may lay a charge against a driver or operator. Convictions resulting from driver or operator charges are recorded on the operator's CVOR record with point values based on severity.

Convictions for offences that occurred in other Canadian jurisdictions are received by MTO via a Canada-wide data, exchange system. These out-of-province convictions will appear on a Carrier CVOR Abstract (Level II).

## Inspections

An officer may conduct an inspection of a commercial motor vehicle. Inspections are conducted according to the Commercial Vehicle Safety Alliance (CVSA) standards, which are applied by all jurisdictions across North America. Inspections can result in the following findings:

- Defects
- Out-of-service defects
- Critical defects that can cause the vehicle to be impounded

Driver or vehicle inspection categories that do not meet the minimum standard are considered out-of-service.

When mechanical defects exceed the critical defect criteria, the ministry may impound the vehicle. In such a situation, extra points are not added on the CVOR record. However, this event does appear on the CVOR record, and could result in the operator being recommended for an intervention.

All levels of CVSA inspections performed by an officer anywhere in Canada will appear on a carrier abstract. This includes passed inspections, as well as those with defects and defects that are out-of-service.

There are five levels of CVSA inspections that Ontario monitors on a CVOR abstract:

Level 1	Examination of the vehicle and driver (driver's licence, daily inspections, vehicle maintenance and hours of service)
Level 2	Walk-around driver and vehicle Inspection (components including those that can be inspected without physically getting under the vehicle, as well as driver's licence and hours of service)
Level 3	Only driver's licence, vehicle permits, annual inspections and hours of service.
Level 4	Special inspections directed to examine a particular driver-related item or vehicle component
Level 5	Vehicle inspection only without the driver present

## Facility Audits

The results of a facility audit will be recorded on an operator's CVOR record. An audit conducted at the request of the operator will be noted on the record as a voluntary audit.

## Ministry Interventions and Sanctions

Ministry interventions and sanctions include disciplinary letters sent to the operator, interviews, audits and sanctions of fleet limitation; seizure of plates, suspension and/or cancellation of the operator's operating privileges.

## Points

**Collisions** are pointed based on severity (property damage, personal injury or fatal injury) and impropriety (vehicle defect, driver action, driver condition) noted on the motor vehicle accident report from the police, or as indicated on a collision record reported by another Canadian jurisdiction.

Collisions with no impropriety or vehicle defects reported will appear on the operator's CVOR record but are not pointed.

The following table determines point values assigned for collisions that occurred after April 1, 2007.

**Collision Weighting Table**

SEVERITY	NO IMPROPRIETY Factor = 0	IMPROPRIETY Factor = 2
Property Damage (Factor = 1)	0	2
Personal Injury (Factor = 2)	0	4
Fatal Injury (Factor = 3)	0	6

**Convictions** are pointed as per the conviction code table. Safety-related convictions are assigned a weighted value. Administrative-related convictions appear on the CVOR record but are weighted at zero. (Contact MTO [Carrier Sanctions and Investigation Office](#) for a full copy of the Conviction Code Table.)

**Inspection** points are assessed on out-of-service defects. One point is assigned for the first inspected category found with an out-of-service defect per unit, and two points for each subsequent category found out-of-service on the same unit. Each vehicle in a combination of vehicles is counted as a unit. The driver is also counted as a unit, but not any co-driver. There are 15 vehicle-inspection categories and two driver-inspection categories.

### **Vehicle Defects**

Brake System	Frame	Lighting System
Driveline/Driveshaft	Tires	Coupling Devices
Exhaust System	Wheels / Rims	Load Security
Fuel System	Body	Emergency Exits, Wiring and temporary seating (buses only)
Steering System	Windshield Wipers	Dangerous Goods
Suspension System		

### **Driver Defects:**

Drivers Licences

Hours of Service

### **Inspection Out-of-Service Rates**

There are three out-of-service rates: overall, vehicle and driver.

The **overall inspection out-of-service rate** is the percentage of total inspections conducted in the displayed time period that had out-of-service defects. For example, if an operator had six inspections in 24 months, and three inspections had out-of-service defects, then the overall out-of-service rate is 50 percent.

The **vehicle out-of-service rate** is the percentage of total inspections (excluding level 3) that reported vehicle out-of-service defects (levels 1, 2 and 5).

The **driver out-of-service rate** is the percentage of total inspections that reported a driver out-of-service defect (levels 1, 2 and 3).

In all cases, level 4 CVSA inspections are not counted in determining out-of-service rates. The out-of-service rates are shown on the first page of the Carrier CVOR Abstract (Level II).

## Evaluating an Operator's Performance

The CVOR system evaluates an operator based on the events on its CVOR record, including collisions, driver and operator convictions, CVSA inspections and the results of facility audits.

Operators with vehicles plated in the US are evaluated on kilometres travelled in Ontario only, and only for Ontario events.

## Interventions and Sanctions

The CVOR system automatically identifies an operator for review when poor safety performance is identified based on the operator's overall violation rate.

Predetermined stages have been established, at which point operator interventions or sanctions will be considered. When one of these stages is reached, ministry staff will determine the appropriate intervention.

The Deputy Registrar of Motor Vehicles may use other triggering methods to bring an operator to the ministry's attention such as significant incidents (for example, impoundments or wheel separations, unpaid fines, or chronic non-compliance).

All interventions and sanctions concerning a carrier's CVOR Record are directed towards the corporate officer or senior official of the company. In this way, the individual who has control of and accountability for the carrier's operation will be aware of the Ministry's concerns regarding its safety performance and is expected to take the necessary steps to improve. This approach has proven very successful in improving operator performance. More than 80 percent of operators that are subject to an intervention improve their record to an acceptable standard.

## Sanctions

A sanction is the most severe disciplinary measure that the Deputy Registrar may impose. It may result in a fleet limitation, plate seizure, or suspension or cancellation of an operator's operating privileges. Sanctions may also result in an operator receiving an unsatisfactory safety rating. Sanctions imposed by the Deputy Registrar take effect

throughout Canada. As part of the sanction process, the operator will have an opportunity to show cause as to why the sanction should not be imposed.

Operators that exceed 100 percent of their overall CVOR threshold may receive a notice of sanction. The operator's most senior official is given the opportunity to show cause to the Deputy Registrar of Motor Vehicles as to why its commercial vehicle operator privileges in Canada should not be revoked, suspended or limited.

### **Sanctions may be appealed to:**

#### **Licence Appeal Tribunal**

20 Dundas St W

5th Floor

Toronto, ON M5G 2C2

Phone: (416) 325-0209 or 1-800-255-2214 (within Ontario only)

### **Violation Rates**

Violation rate is the percentage of points that an operator has accumulated against the set maximum thresholds. The threshold is the allowable rate, expressed in a percentage, that the operator may reach.

An operator's threshold is the maximum violation rate deemed acceptable for that specific operator. The violation-rate threshold is not the same for all operators. It is calculated based on the number of vehicles and drivers in the operator's fleet and the number of kilometres travelled. (For example, an operator with more vehicles and travelling a farther distance would have a higher threshold than a small operator.)

Violation rates are accumulated based on an operator's collision, convictions and inspections over, and up to, a 24-month sliding period. All events are given a point value, and if the operator exceeds their violation-rate threshold, intervention and sanctions will be applied in a progressive action. (For example, an operator that exceeds 35 percent of their allowable threshold may be subject to a warning letter.)

The CVOR system calculates the operator's violation rates for collisions and convictions based on the total number of points accumulated over, and up to, a 24-month sliding period, compared to the threshold values established for that operator's kilometric rate of travel during that same period. For inspections, the total points accumulated in any given period, up to a maximum of 24 months, are compared with the threshold points established based on the number of units (drivers and vehicles) inspected during that same period. These individual thresholds are combined to arrive at an overall violation rate with collisions and convictions weighted double to inspections.

As new events and points are recorded, those older than 24 months drop off. The formula is based on a 24-month period or the number of months since the start of the operator's CVOR record, whichever is less. The violation rate is converted to a

percentage of the operator's threshold. Appropriate ministry interventions and sanctions are triggered by the CVOR system if an operator reaches various levels of its threshold.

**Note:** For details of the threshold-value tables, threshold formulas and sample calculations of kilometric rate of travel, violation rates and percentages of threshold calculations of how you arrive at your violation rate, see Appendix A.

**The Deputy Registrar may authorize appropriate interventions and sanctions in cases not triggered by the automated system.**

## **Carrier Safety Rating**

A **Carrier Safety Rating (CSR)** is a public label that is assigned to truck and bus operators. The Deputy Registrar of Motor Vehicles assigns a rating to an operator based on the company's safety record, which includes:

- Collisions
- Convictions
- Inspections
- Facility Audits

CSRs are available to the public. They provide information about an operator's safety performance. Insurance companies, financial institutions, shippers or users of an operator's services can find out the operator's CSR, which helps make informed decisions. Operators with good safety ratings can promote themselves to potential customers, whereas operators with poor safety ratings are easily identified.



## Ratings

An operator receives one of five possible safety ratings:

- Excellent
- Satisfactory
- Satisfactory-Unaudited
- Conditional
- Unsatisfactory

Operators with an acceptable facility audit may be eligible for an excellent or satisfactory safety rating ('Audit Rating' should not be confused with the actual 'Safety Rating' as the audit is only a component of the overall outcome). Operators that have not been audited will be rated only on the basis of their CVOR violation rate. The highest rating an operator without an audit may receive is satisfactory-unaudited.

### Excellent Safety Rating

A carrier would normally be eligible for an **Excellent Safety Rating** if it meets all of the following conditions:

- The carrier has at least 24 months of demonstrated operation in Ontario and currently holds a valid CVOR certificate,
- The carrier has an overall violation rate of 15% or less of overall threshold,
- The carrier also has a collision violation rate of 10% or less of the collision threshold, and
- The carrier has been audited and achieved an excellent score.

**Note:** Once an Excellent rating is assigned, the operator must maintain both an overall violation rate no greater than 20% of overall CVOR threshold and a collision violation rate no greater than 15% of collision threshold. Failure to maintain these low violation rates will result in a safety rating downgrade.

### Satisfactory Safety Rating

A carrier would normally be eligible for a **Satisfactory Safety Rating** if it meets all of the following conditions:

- The carrier has at least six months of demonstrated operation in Ontario and currently holds a valid CVOR certificate,
- The carrier maintains an on-road performance level of 70% or less of its overall CVOR threshold, and
- The carrier has been audited and received a passing score.

### Satisfactory-Unaudited Safety Rating

A carrier that has not been audited would normally receive a **Satisfactory-Unaudited Safety Rating** provided it maintains an on-road performance level of 70% or less of its overall CVOR threshold.

### Conditional Safety Rating

A carrier may be considered for a **Conditional Safety Rating** if any of the following circumstances occur:

- If the carrier's on-road performance level exceeds 70% of its overall CVOR threshold.
- If the carrier fails the facility audit.
- Upon the expiry of a suspension or plate seizure.
- If a person or company related to or affiliated with the carrier has an on-road performance level that exceeds 70% of its overall CVOR threshold or fails a facility audit.

**Note:** To be upgraded from a Conditional rating to a higher rating (i.e. Satisfactory-Unaudited or Satisfactory), the operator must maintain an on-road performance level of 60% or less of its overall CVOR threshold.

All Conditional ratings are in effect for a minimum of six months, except when a carrier rating is proposed for a rating downgrade from Conditional to Unsatisfactory. When such a rating downgrade is proposed, there are no minimum time requirements. During the six-month conditional period, the carrier is expected to identify and improve the components of its safety performance which resulted in the assignment of the Conditional rating. Following the six months, the Registrar may propose a rating based on the performance of the carrier at that time.

A carrier may be assigned a Conditional rating as the result of a failed audit. In this case, the carrier cannot improve its rating until six months after the date of the Conditional rating assignment. The carrier must pass a second audit in order to receive a new rating.

### Carrier Safety Ratings and Normal Performance Levels ON-ROAD PERFORMANCE

Overall Audit Score	0 to 15 <sup>1</sup> % of threshold	>15 to 70 <sup>2</sup> % of threshold	>70 <sup>2</sup> to 100% of threshold	>100 <sup>3</sup> % of threshold
<b>80% to 100%</b>	Excellent	Satisfactory	Conditional	Unsatisfactory
<b>55% to &lt; 80%</b>	Satisfactory	Satisfactory	Conditional	Unsatisfactory
<b>0 to &lt; 55%</b>	Conditional	Conditional	Conditional	Unsatisfactory
<b>No Audit</b>	Satisfactory - Unaudited	Satisfactory - Unaudited	Conditional	Unsatisfactory

#### Notes:

1. To be eligible for an Excellent Safety Rating, the carrier's overall violation rate must not exceed 15% of its Overall CVOR Threshold and its collision violation rate must not exceed 10% of its Collision Threshold. An excellent rating will be downgraded if the carrier's overall violation rate exceeds 20% of its Overall CVOR Threshold or if its collision violation rate exceeds 15% of its Collision Threshold.
2. Once assigned a conditional Safety Rating, to be eligible for an upgraded rating, a carrier's overall violation rate must be 60% or less of its Overall CVOR Threshold.
3. A carrier is rated Unsatisfactory for the duration of a plate seizure, suspension or cancellation.

**Note:** Facility audits will not be considered for an upgrade to Satisfactory or Excellent safety rating, if the audit was completed more than 36 months ago.

-The Overall Audit Score is expressed as:

**Excellent** – if the overall audit score is 80% and all profiles are 70% or greater.

**Pass** – if the overall audit score is 55% or greater and no profile is below 50%

**Fail** – if the overall audit score is below 55% or any profile is below 50%.

#### Carriers that exceed their overall CVOR threshold

When a carrier's overall violation rate exceeds its overall threshold level (over 100%), the system brings it to the Registrar's attention. In most cases, the carrier will be considered for sanction such as plate seizure, suspension or cancellation.

The carrier will also be considered for an **Unsatisfactory Safety Rating**. The Registrar may propose that the carrier's rating be Conditional until the sanction takes effect. The carrier will remain Unsatisfactory for the duration of the sanction.

Upon the completion of the sanction period, a Conditional rating will automatically apply. No rating higher than Conditional will be assigned following the sanction until at least 6 months has elapsed. The Registrar may, however, during the Conditional period following sanction, propose an Unsatisfactory rating where applicable, even though 6 months has not yet passed.

### **Safety Ratings for New Operators**

When an operator applies for a CVOR certificate, a **satisfactory-unaudited rating** is usually proposed. The new operator is unrated for the first 40 days of operation while the rating is proposed and until the rating comes into effect.

Most operators will remain satisfactory-unaudited for the first six months of operation. However, if an operator accumulates points on the CVOR record or fails an audit, the rating may drop to conditional or unsatisfactory.

### **Disputing proposed Carrier Safety Ratings**

A carrier has the right to send to the Registrar a written dispute of its proposed Safety Rating. The written dispute may include records as well as written submissions. The carrier must submit the written dispute to the Registrar at the address indicated on the Safety Rating letter within 30 days of being notified of the proposed Safety Rating.

After considering all submissions and records contained in the written dispute, the Registrar will assign a Safety Rating. The assigned Safety Rating may be the one that was originally proposed or may be a different rating than the one proposed. There is no further appeal from this assignment of a rating.

## Deferred Safety Rating Status

A carrier may wish to upgrade its Safety Rating to Satisfactory or Excellent by volunteering for and passing an audit. If a carrier does not pass the audit, the Registrar will propose a Conditional Safety Rating. Carriers that have volunteered for an audit and failed the audit but have an overall violation rate of 50% or less may apply for **deferred Safety Rating status** by disputing their proposed conditional rating. The Registrar may defer the proposed conditional Safety Rating for up to one year if the carrier meets the following conditions:

- The carrier must submit a dispute and include a written undertaking to address the deficiencies found during the audit, and
- The carrier must agree to submit to a subsequent audit within one year of the notification of the proposed conditional rating.

If the carrier meets these conditions, the Registrar may defer assigning the conditional rating for up to one year.

The conditional rating will be assigned immediately if any one or more of the following conditions occur:

- The carrier's overall violation rate exceeds 50% of its Overall CVOR Threshold,
- Six months have passed and the carrier has not yet requested a re-audit,
- The carrier fails the re-audit, or
- One year has passed and the carrier has not been re-audited or is not awaiting a scheduled re-audit.

A satisfactory or excellent rating, as applicable, will be assigned immediately if the carrier passes the audit or receives an excellent audit score.

## Collision-Points Threshold

A collision-points threshold value is determined for each operator, based on its kilometric rate of travel per month in Canada (in Ontario, for US-plated operators), by all the commercial motor vehicles operating under the operator's CVOR certificate. All operators with the same rate of travel, therefore, will have the same collision-points threshold. The collision violation rates of a large sample of operators were analyzed, and a threshold curve was established that identifies those operators with unacceptably high collision rates relative to other operators at a similar rate of travel.

The collision-points threshold formula is:

	For rate of travel, R < 120,000 km/month	For rate of travel, R = or > 120,000 km/month
<b>Collision Points Threshold</b>	$T_{col} = (1.363 \times R^{0.217}) \times (n \div 24)$	$T_{col} = (0.000144 \times R) \times (n \div 24)$

Where:  $T_{col}$  = collision points threshold  
R = rate of travel (km/month)  
n = number of months in the analysis period (maximum of 24)

For ease of calculation, collision-points threshold values have been calculated and presented in a “look-up” table. See Appendix B for the Table of Threshold Values. (Otherwise, the above calculations will require a scientific calculator.)

### Conviction-Points Threshold

A conviction-points threshold value is determined for each operator, based on its kilometric rate of travel per month in Canada (in Ontario, for US-plated operators), by all the commercial motor vehicles operating under the operator’s CVOR certificate. All operators with the same rate of travel, therefore, will have the same conviction-points threshold. The conviction violation rates of a large sample of operators were analyzed, and a threshold curve was established that identifies those operators with unacceptably high conviction rates relative to other operators of similar rate of travel.

The conviction-points threshold formula is:

	For rate of travel, R < 120,000 km/month	For rate of travel, R = or > 120,000 km/month
<b>Conviction Points Threshold</b>	$T_{con} = (2.54 \times R^{0.235}) \times (n \div 24)$	$T_{con} = (0.000331 \times R) \times (n \div 24)$

Where:  $T_{con}$  = conviction points threshold  
 $R$  = rate of travel (km/month)  
 $n$  = number of months in the analysis period (maximum of 24)

For ease of calculation, conviction-points threshold values have been calculated and presented in Appendix B.

### Inspection-Points Threshold

An inspection-points threshold value is determined for each operator, based on its frequency of CVSA inspections. The number of units inspected is determined by adding the total number of vehicles inspected to the total number of drivers inspected. All operators with the same number of units inspected, therefore, will have the same inspection-points threshold. The inspection violation rates of a large sample of operators were analyzed, and a threshold curve was established that identifies those operators with unacceptably high CVSA inspection out-of-service rates relative to other operators with a similar number of units inspected.

The inspection-points threshold formula is:

	For "U" units inspected
<b>Inspection Points Threshold</b>	$T_{ins} = 7.789 + 0.139 \times U$

Where:  $T_{ins}$  = inspection points  
 $U$  = # of units inspected in the analysis period

For ease of calculation, inspection threshold values have been calculated and presented in Appendix B.

## Appendix A – CVOR Formula

### CVOR Calculations

#### How Is an Operator's Monthly Rate of Travel Calculated?

An operator's monthly rate of travel in Canada during a specific time period is used to determine the collision- and conviction-points threshold. Operators must report a significant change in their rate of travel. Consequently, a determination of the operator's collision- or conviction-violation rate may contain multiple-assessment time periods. The following procedure is followed to calculate monthly rate of travel.

**1. Operator calculates the total number of commercial motor vehicles operated in Ontario under the operator's CVOR certificate.**

- Include power units plated in Ontario that are owned, leased or rented by the operator and any plated in Ontario that are operated under contract with Owner/Operators.
- Include power units plated in the US or Mexico that operate in Ontario.
- Exclude power units operated by the operator that are plated in other Canadian jurisdictions.
- Exclude all trailers.

**For Example:**

Bob owns 10 highway tractors, of which eight are plated in Ontario and two are plated in Manitoba. He leases five trucks, all plated in Ontario. He also employs five owner/operators, all with Ontario plates. The total number of commercial motor vehicles that Bob operates under his CVOR certificate is:

$$8 + 5 + 5 = 18 \text{ commercial motor vehicles}$$

**2. Calculate the total kilometres traveled per month by the fleet in Canada, by specific time periods that reflect different rates of travel in Canada.**

Total kilometres travelled in a specified time period in Canada by the operator's fleet divided by the number of months in the time period equal the monthly rate of travel in Canada (km/month).



**For Example:**

Period 1: (2010 07 01 to 2010 12 31) – 6 months

Total kilometres travelled in Ontario by the fleet of 18 vehicles = 516,000 km.

Total kilometres travelled in the rest of Canada by the fleet of 18 vehicles = 324,000 km.

Total kilometres travelled outside Canada by the fleet of 18 vehicles = 216,000 km.

Monthly rate of travel in Canada =  $(516,000 + 324,000) \div 6 = 140,000$  km/month.

Period 2: (2010 01 01 to 2011 06 30) – 18 months

Total kilometres travelled in Ontario by the fleet of 18 vehicles = 1,296,000 km.

Total kilometres travelled in the rest of Canada by the fleet of 18 vehicles = 324,000 km.

Total kilometres travelled outside Canada by the fleet of 18 vehicles = 1,944,000 km.

Monthly rate of travel in Canada =  $(1,296,000 + 324,000) \div 18 = 90,000$  km/month.

**How Are the Collision Violation Rate and Percentage of Threshold Calculated?**

Using the data collected from police accident reports, collision demerit points are assigned according to the collision weighting table.

A collision is considered to have “impropriety” if the accident report indicates something other than “normal” under vehicle condition (fields 31 and 32), driver action (fields 33 and 34) or driver condition (fields 35 and 36).

### For Example:

An operator with a rate of travel of 144,000 km/month in period 1 (six months) and 90,000 km/month in period 2 (18 months) had the following four collisions in the past 24-month period (this period does not include the most recent 30 days):

- one involving property damage and no impropriety in period 1 (0 points)
- one involving personal injury and impropriety in period 1 (4 points)
- one involving a fatality and no impropriety in period 2 (0 points)
- one involving property damage and impropriety in period 2 (2 points)

**The collision-violation rate would be calculated in the following manner:**

#### Step 1:

Calculate the total collision points in each period.

Period 1:  $0 + 4 = 4$  (total collision points in period 1)

Period 2:  $0 + 2 = 2$  (total collision points in period 2)

#### Step 2:

Determine the collision-threshold points for each rate of travel, for a 24-month period.

Consult the Table of Threshold Values (see Appendix B) to determine the threshold points for a 24-month period for an operator with a travel rate of 140,000 km/month and 90,000 km/month.

Rate 1: At 140,000 km/month, the collision-threshold point value is 20.16 for a 24-month period.

Rate 2: At 90,000 km/month, the collision-threshold point value is 16.20 for a 24-month period.

#### Step 3:

Prorate the points for a 24-month period by the number of months in each period to determine the threshold value for that period.

Collision-threshold points in period 1 =  $20.16 \times (6 \div 24) = 5.04$  points.

Collision-threshold points in period 2 =  $16.20 \times (18 \div 24) = 12.15$  points.

#### Step 4:

To calculate the percentage of threshold for each period, divide the points assigned in the period by the collision threshold points ( $\times 100\%$ ).

Period 1: Percentage of threshold =  $100\% \times (4 \div 5.04) = 79.37\%$ .

Period 2: Percentage of threshold =  $100\% \times (2 \div 12.15) = 16.46\%$ .

### Step 5:

To calculate the overall collision-violation rate for the 24-month period, prorate it in proportion to the time in each period.

$$\begin{aligned}\text{Overall collision-violation rate (24-month period)} &= (79.37\% \times 6) + (16.46\% \times 18) \div 24 \\ &= (476.22\% + 296.28\%) \div 24 \\ &= \mathbf{32.19\%}\end{aligned}$$

### How Are the Conviction-Violation Rate and Percentage of Threshold Calculated?

The CVOR system assigns points to safety-related convictions as indicated in the Conviction Code Table

To have a copy of the Conviction Code Table sent to you, contact [Carrier Sanctions and Investigation Office](#)

### For Example:

The same operator described previously with monthly travel rates of 140,000 km/month (period 1) and 90,000 km/month (period 2) also had the following four convictions in the past 24-month period (this period does not include the most recent 30 days):

- Failure to make daily log in period 1 (3 points)
- Overweight – dual axle over 2,000 kilograms in period 2 (3 points)
- Drive motor vehicle – failure to display plates in period 2 (0 points)
- Fail to inspect/repair/maintain according to standard in period 2 (2 points)

**The conviction-violation rate would be calculated in the following manner:**

### Step 1

Calculate the total conviction points in each period.

Period 1: 3 (total conviction points in period 1)

Period 2: 3 + 0 + 2 = 5 (total conviction points in period 2)

### Step 2

Determine the allowable conviction-threshold points for each rate of travel, for a 24-month period. Consult the Table of Threshold Values (see Appendix B) to determine the threshold points for a 24-month period for an operator with a travel rate of 140,000 km/month and 90,000 km/month.

Rate 1: At 140,000 km/month, the allowable conviction-threshold points value is 46.34 for a 24-month period.

Rate 2: At 90,000 km/month, the allowable-conviction threshold points value is 37.07 for a 24-month period.

### Step 3

Prorate the allowable points for a 24-month period by the number of months in each period.

Allowable points in period 1 =  $46.34 \times (6 \div 24) = 11.59$  points.

Allowable points in period 2 =  $37.07 \times (18 \div 24) = 27.80$  points.

### Step 4

To calculate the percentage of threshold for each period, divide the points assigned in the period by the allowable points.

Period 1: Percentage of threshold =  $100\% \times (3 \div 11.59) = 25.88\%$ .

Period 2: Percentage of threshold =  $100\% \times (5 \div 27.80) = 17.99\%$ .

### Step 5

To calculate the overall conviction-violation rate for the 24-month period, prorate it in proportion to the time in each period.

Overall conviction-violation rate (24-month period) =  $(25.88\% \times 6) + (17.99\% \times 18) \div 24$   
 $= (155.28\% + 323.82\%) \div 24$   
 $= \mathbf{19.96\%}$

### How Are the “Number of Units Inspected” for a CVSA Inspection Calculated?

The inspection-points threshold value varies with the number of units inspected, as opposed to varying with the rate of kilometric travel, which is used to calculate the collision- and conviction-threshold values. The number of units inspected is the sum of all the vehicles and drivers inspected in all inspections within the analysis period.

#### For Example:

Level 1, 2 or 4 inspection, tractor and 1 semi-trailer (3 units inspected – 2 vehicles, 1 driver)

Level 3 inspection, with no vehicle defects indicated, straight truck, trailer converter dolly and semi-trailer (1 driver inspected)

Level 5 inspection, tractor and semi-trailer (2 vehicles inspected)

### How are the Inspection Violation Rate and Percentage of Threshold calculated?

The CVOR system assigns points to CVSA out-of-service inspection categories, as defined by CCMTA. One point is assigned for each category that is out-of-service per unit. If a vehicle (or driver) has multiple categories out of service, these additional categories are assigned two points each. There are a total of 15 vehicle and two driver categories.

Driver out-of-service points are weighted at 68.75 percent of vehicle out-of-service points, based on the “Predictive Analysis” study that indicated a higher probability of future collisions related to vehicle defects than to driver defects. The violation rate is the total (weighted) points assigned for all inspections, divided by the inspection-points threshold value, and is expressed as a percentage of threshold.

### For Example:

Assume the same operator described previously has been inspected three times in the 24-month analysis period. There is no need to break the time into the two periods related to different travel rates, since the inspection-threshold formula only varies with the number of units inspected. (**Note:** The 24-month period does not include the most recent 30 days.) For ease of understanding, the inspections shown below describe “category defects” as they will appear on a CVOR carrier abstract.

#### Inspection 1: Level 1

Unit inspected	Defect - *indicates “out-of-service”	Dr pts.	Veh pts.
Driver	*Category – Drivers Licences :Drivers Licences – Improper Licence	1	-
Driver	*Category – Hours of Work :Cycle – drive after 70 hours in 7days*	2	-
Truck Tractor	*Category – Tires :Tires – Tread Depth* :Tires – Ply Separation	-	1
Trailer	*Category – Brakes – Adjustment :Brakes - Adjustment	-	1
3 units inspected	Total points assigned	3	2

#### Inspection 2: Level 3

Unit inspected	Defect - *indicates “out-of-service”	Dr pts.	Veh pts.
Driver	*Category – Drivers Licences :Fail to produce	1	-
Driver	*Category – Seat Belt :Fail to wear	0 (not OOS)	-
Truck Tractor	(Not applicable)	-	0
Trailer	(Not applicable)	-	0
3 units inspected	Total points assigned	1	0

### Inspection 3: Level 5

Unit inspected	Defect - *indicates “out-of-service”	Dr pts.	Veh pts.
Driver	(Not applicable)	0	-
Truck Tractor	*Category – Suspension System :Coil spring broken*	-	1
Trailer	(No defects recorded)	-	0
3 units inspected	Total points assigned	0	1

### Calculations

#### Step 1

Calculate the total units inspected for the three inspections.

Inspection 1, Level 1 = 3 units inspected. (1 driver and 2 vehicles)

Inspection 2, Level 3 = 1 unit inspected. (1 driver)

Inspection 1, Level 5 = 2 units inspected. (1 driver and 1 vehicle)

Total units inspected = 6

#### Step 2

Determine the inspection-threshold value from the table in Appendix B. For six units inspected, the allowable inspection threshold points = 8.62.

#### Step 3:

Determine the operator’s total inspection points, where driver points are weighted at 68.75 percent of vehicle points.

$$\begin{aligned}
 \text{Total inspection points} &= 1 \times \text{vehicle points} + 0.6875 \times \text{driver points.} \\
 &= 1 \times (2 + 0 + 1) + 0.6875 \times (3 + 1 + 0) \\
 &= 3 + 2.75 \\
 &= 5.75 \text{ inspection points.}
 \end{aligned}$$

#### Step 4:

Determine the operator’s inspection-violation rate, expressed as a percentage of threshold.

$$\begin{aligned}
 \text{Inspection-violation rate} &= 100\% \times (5.75 \div 8.62) \\
 &= \mathbf{66.71\%}
 \end{aligned}$$

## How Does the CVOR System Calculate an Operator's Overall Performance?

The operator's overall performance is determined by combining its collision-, conviction- and inspection-performance values in the proportions of 2 to 2 to 1. The overall performance measure formula is:

<b>Overall Performance</b>	$P_o = (2 \times P_{col} + 2 \times P_{con} + P_{ins}) \div 5$
----------------------------	--

Where:

- Po = Overall Performance
- Pcol = Collision Performance
- Pcon = Conviction Performance
- Pins = Inspection Performance

When an operator's overall violation rate exceeds 1 (100 percent), it is said to be "over threshold" and may be subject to sanctioning by the Deputy Registrar of Motor Vehicles.

Remember that the overall-percent- of- threshold calculation weights collisions and convictions at double the severity of inspections (2:2:1 ratio).

### Step 1

Multiply both the percent-of- collision threshold (32.19) and the percent-of-conviction threshold (19.96) by 2, and add the percent-of-inspection threshold (65.64).

$$2 \times 32.19\% + 2 \times 19.96\% + 65.64\% = 171.01\%$$

### Step 2

Divide the value in Step 1 (171.01 percent) by five to derive the percent-of-overall threshold.

$$\begin{aligned} \text{Percent of Overall Threshold} &= 171.01\% \div 5 \\ &= 34.20\% \end{aligned}$$

This value represents the operator's overall violation rate as a percentage of its overall threshold.

## Appendix B – Threshold Values

### Collisions

#### Definition of Column Headings

**Rate of travel – km/month (R):** The total kilometres travelled per month in Canada (in Ontario, for US-plated operators), for all commercial motor vehicles operating under the operator's CVOR certificate.

**Collision-threshold points (Y<sub>col</sub>):** The number of collision points in a given period for a specified rate of travel that will result in being at 100 percent of collision threshold.

$Y_{col} = ( 1.363 \times R^{0.217} ) ( \# \text{ months}/24 ), \text{ for } R < 120,000 \text{ km/month}$

$Y_{col} = ( 0.000144 \times R ) ( \# \text{ months}/24 ), \text{ for } R = \text{ or } > 120,000 \text{ km/month}$



Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
100	3.70	0.154
1,000	6.10	0.254
2,000	7.09	0.296
3,000	7.75	0.323
4,000	8.24	0.344
5,000	8.65	0.361
6,000	9.00	0.375
7,000	9.31	0.388
8,000	9.58	0.399
9,000	9.83	0.410
10,000	10.06	0.419
11,000	10.27	0.428
12,000	10.46	0.436
13,000	10.65	0.444
14,000	10.82	0.451
15,000	10.98	0.458
16,000	11.14	0.464
17,000	11.29	0.470
18,000	11.43	0.476
19,000	11.56	0.482
20,000	11.69	0.487
21,000	11.81	0.492
22,000	11.93	0.497
23,000	12.05	0.502
24,000	12.16	0.507
25,000	12.27	0.511

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
26,000	12.37	0.516
27,000	12.48	0.520
28,000	12.58	0.524
29,000	12.67	0.526
30,000	12.77	0.532
31,000	12.86	0.536
32,000	12.95	0.539
33,000	13.03	0.543
34,000	13.12	0.547
35,000	13.20	0.550
36,000	13.28	0.553
37,000	13.36	0.557
38,000	13.44	0.560
39,000	13.51	0.563
40,000	13.59	0.566
41,000	13.66	0.569
42,000	13.73	0.572
43,000	13.80	0.575
44,000	13.87	0.578
45,000	13.94	0.581
46,000	14.01	0.584
47,000	14.07	0.586
48,000	14.14	0.589
49,000	14.20	0.592
50,000	14.26	0.594
51,000	14.32	0.597

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
52,000	14.38	0.599
53,000	14.44	0.602
54,000	14.50	0.604
55,000	14.56	0.607
56,000	14.62	0.609
57,000	14.67	0.611
58,000	14.73	0.614
59,000	14.78	0.616
60,000	14.84	0.616
61,000	14.89	0.618
62,000	14.94	0.620
63,000	15.00	0.623
64,000	15.05	0.625
65,000	15.10	0.627
66,000	15.15	0.629
67,000	15.20	0.631
68,000	15.25	0.633
69,000	15.29	0.635
70,000	15.34	0.637
71,000	15.39	0.639
72,000	15.44	0.641
73,000	15.48	0.643
74,000	15.53	0.645
75,000	15.57	0.647
76,000	15.62	0.649
77,000	15.66	0.651

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
78,000	15.71	0.653
79,000	15.75	0.654
80,000	15.79	0.656
81,000	15.84	0.660
82,000	15.88	0.662
83,000	15.92	0.663
84,000	15.96	0.665
85,000	16.00	0.667
86,000	16.04	0.668
87,000	16.08	0.670
88,000	16.12	0.672
89,000	16.16	0.673
90,000	16.20	0.675
91,000	16.24	0.677
92,000	16.28	0.678
93,000	16.32	0.680
94,000	16.36	0.681
95,000	16.39	0.683
96,000	16.43	0.685
97,000	16.47	0.686
98,000	16.50	0.688
99,000	16.54	0.689
100,000	16.58	0.691
101,000	16.61	0.692
102,000	16.65	0.694
103,000	16.68	0.695

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
104,000	16.72	0.697
105,000	16.75	0.698
106,000	16.79	0.699
107,000	16.82	0.701
108,000	16.86	0.702
109,000	16.89	0.704
110,000	16.92	0.705
111,000	16.96	0.707
112,000	16.99	0.708
113,000	17.02	0.709
114,000	17.05	0.711
115,000	17.09	0.712
116,000	17.12	0.713
117,000	17.15	0.715
118,000	17.18	0.716
119,000	17.21	0.717
120,000	17.25	0.719
130,000	18.72	0.760
140,000	20.16	0.840
150,000	21.60	0.900
160,000	23.04	0.960
170,000	24.48	1.020
180,000	25.92	1.060
190,000	27.36	1.140
200,000	28.80	1.200
210,000	30.24	1.260

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24-months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
220,000	31.68	1.320
230,000	33.12	1.360
240,000	34.56	1.440
250,000	36.00	1.500
500,000	72.00	3.000
750,000	108.00	4.500
1,000,000	144.00	6.000
1,250,000	180.00	7.500
1,500,000	216.00	9.000
1,750,000	252.00	10.500
2,000,000	288.00	12.000
2,250,000	324.00	13.500
2,500,000	360.00	15.000
2,750,000	396.00	16.500
3,000,000	432.00	18.000
3,250,000	458.00	19.500
3,500,000	504.00	21.000
3,750,000	540.00	22.500
4,000,000	576.00	24.000
4,250,000	612.00	25.500
4,500,000	648.00	27.000
4,750,000	684.00	28.500
5,000,000	720.00	30.000
5,250,000	756.00	31.500
5,500,000	792.00	33.000
5,750,000	828.00	34.500

Rate of Travel Km/month <b>R</b>	Collision Threshold Points (24- months) <b>Y<sub>est</sub></b>	Collision Threshold Points (per month) <b>Y<sub>est</sub></b>
6,000,000	854.00	35.000



**Note:** An operator's rate of travel may not match an exact value in the tables. To interpolate a value, you may use the following formula.

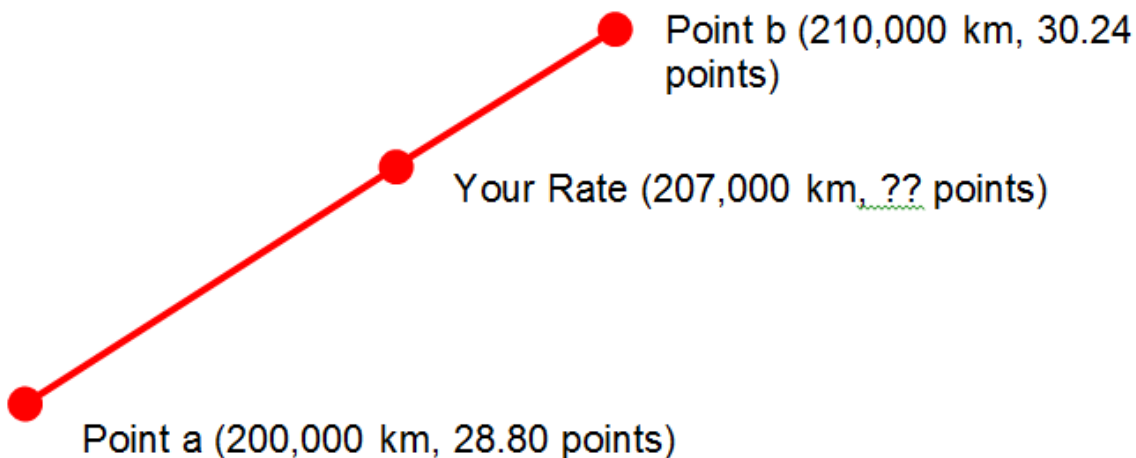
Threshold Point =  $T_{est}$  where

$$T_{est} = T_a + (T_b - T_a) \times (km_b - km_{est}) \div (km_b - km_a)$$

Example:

Assume your kilometric rate ( $km_{est}$ ) = 207.000 km/month.

Rate of Travel Km/month <b>R</b>	Convictions Threshold Points (24-months) <u><math>Y_{est}</math></u>	Collision Threshold Points (per month) <u><math>Y_{est}</math></u>	
200,000	28.80	1.200	 <u>a</u>
210,000	30.24	1.260	 <u>b</u>



$$\begin{aligned}
 T_{est} &= T_a + (T_b - T_a) \times (km_b - km_{est}) \div (km_b - km_a) \\
 &= 28.80 + (30.24 - 28.80) \times (207,000 - 200,000) \div (210,000 - 200,000) \\
 &= 28.80 + 1.44 \times 7,000 \div 10,000 \\
 &= 28.80 + 1.01 \\
 &= 29.81 \text{ points}
 \end{aligned}$$

## Convictions

### Definition of Column Headings

**Rate of travel - km/month (R):** The total kilometres travelled per month in Canada (in Ontario, for US-plated operators), for all commercial motor vehicles operating under the operator's CVOR certificate.

**Conviction-threshold points ( $Y_{con}$ ):** The number of conviction points in a given period for a specified rate of travel that will result in being at 100 percent of conviction threshold.

$Y_{con} = (2.54 \times R \times 0.235) (\# \text{ months}/24)$ , for  $R < 120,000 \text{ km/month}$

$Y_{con} = (0.000331 \times R) (\# \text{ months}/24)$ , for  $R = \text{or} > 120,000 \text{ km/month}$

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
100	7.50	0.312
1,000	12.88	0.537
2,000	15.16	0.631
3,000	16.67	0.695
4,000	17.84	0.743
5,000	18.80	0.783
6,000	19.62	0.818
7,000	20.34	0.848
8,000	20.99	0.875
9,000	21.58	0.899
10,000	22.12	0.922
11,000	22.62	0.943
12,000	23.09	0.962
13,000	23.53	0.980
14,000	23.94	0.998
15,000	24.33	1.014
16,000	24.71	1.029
17,000	25.06	1.044
18,000	25.40	1.058
19,000	25.72	1.072
20,000	26.04	1.085
21,000	26.34	1.097
22,000	26.63	1.109
23,000	26.91	1.121
24,000	27.18	1.132
25,000	27.44	1.143

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
26,000	27.69	1.154
27,000	27.94	1.164
28,000	28.18	1.174
29,000	28.41	1.184
30,000	28.64	1.193
31,000	28.86	1.203
32,000	29.08	1.212
33,000	29.29	1.220
34,000	29.49	1.229
35,000	29.70	1.237
36,000	29.89	1.246
37,000	30.09	1.254
38,000	30.27	1.261
39,000	30.46	1.269
40,000	30.64	1.277
41,000	30.82	1.284
42,000	31.00	1.291
43,000	31.17	1.299
44,000	31.34	1.306
45,000	31.50	1.313
46,000	31.67	1.319
47,000	31.83	1.326
48,000	31.98	1.333
49,000	32.14	1.339
50,000	32.29	1.345
51,000	32.44	1.352

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
52,000	32.59	1.358
53,000	32.74	1.354
54,000	32.88	1.370
55,000	33.02	1.376
56,000	33.16	1.382
57,000	33.30	1.388
58,000	33.44	1.393
59,000	33.57	1.399
60,000	33.71	1.404
61,000	33.84	1.410
62,000	33.97	1.415
63,000	34.09	1.421
64,000	34.22	1.426
65,000	34.35	1.431
66,000	34.47	1.436
67,000	34.59	1.441
68,000	34.71	1.446
69,000	34.83	1.451
70,000	34.95	1.456
71,000	35.07	1.451
72,000	35.18	1.466
73,000	35.30	1.471
74,000	35.41	1.475
75,000	35.52	1.480
76,000	35.63	1.485
77,000	35.74	1.489

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
78,000	35.85	1.494
79,000	35.96	1.498
80,000	36.06	1.503
81,000	36.17	1.507
82,000	36.27	1.511
83,000	36.38	1.516
84,000	35.48	1.520
85,000	35.58	1.524
86,000	36.68	1.528
87,000	36.78	1.533
88,000	36.88	1.537
89,000	36.98	1.541
90,000	37.07	1.545
91,000	37.17	1.549
92,000	37.27	1.553
93,000	37.36	1.557
94,000	37.46	1.561
95,000	37.55	1.565
96,000	37.64	1.568
97,000	37.73	1.572
98,000	37.82	1.576
99,000	37.91	1.580
100,000	38.00	1.584
101,000	38.09	1.587
102,000	38.18	1.591
103,000	38.27	1.595



Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
104,000	38.36	1.598
105,000	38.44	1.602
106,000	38.53	1.605
107,000	38.61	1.609
108,000	38.70	1.612
109,000	38.78	1.616
110,000	38.87	1.619
111,000	38.95	1.623
112,000	39.03	1.626
113,000	39.11	1.630
114,000	39.19	1.633
115,000	39.27	1.636
116,000	39.35	1.640
117,000	39.43	1.643
118,000	39.51	1.646
119,000	39.59	1.650
120,000	39.67	1.653
130,000	43.03	1.793
140,000	46.34	1.931
150,000	49.65	2.069
160,000	52.96	2.207
170,000	56.27	2.345
180,000	59.58	2.483
190,000	62.89	2.620
200,000	66.20	2.758
210,000	69.51	2.896

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
220,000	72.82	3.034
230,000	76.13	3.172
240,000	79.44	3.310
250,000	82.75	3.448
500,000	165.50	6.896
750,000	248.25	10.344
1,000,000	331.00	13.792
1,250,000	413.75	17.240
1,500,000	496.50	20.688
1,750,000	579.25	24.135
2,000,000	662.00	27.583
2,250,000	744.75	31.031
2,500,000	827.50	34.479
2,750,000	910.25	37.927
3,000,000	993.00	41.375
3,250,000	1075.75	44.823
3,500,000	1158.50	48.271
3,750,000	1241.25	51.719
4,000,000	1324.00	55.167
4,250,000	1406.75	58.615
4,500,000	1489.50	62.063
4,750,000	1572.25	65.510
5,000,000	1655.00	68.958
5,250,000	1737.75	72.406
5,500,000	1820.50	75.854
5,750,000	1903.25	79.302

Rate of Travel (Km/month) <b>R</b>	Conviction Threshold Points (24-months) <b>Y<sub>con</sub></b>	Conviction Threshold Points (per month) <b>Y<sub>con</sub></b>
6,000,000	1986.00	82.750

**Note:** An operator's rate of travel may not match an exact value in the tables. To interpolate a value, you may use the following formula.

Threshold Point =  $T_{est}$  where

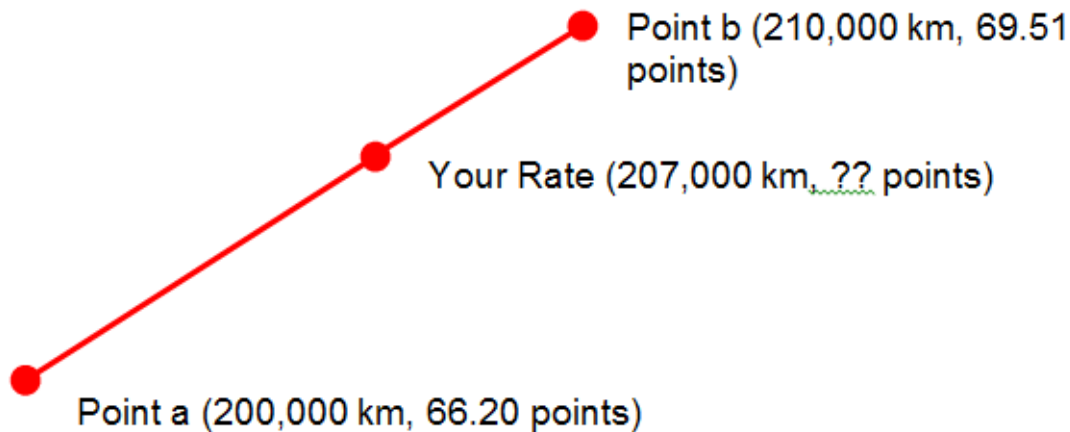
$$T_{est} = T_a + (T_b - T_a) \times (km_b - km_{est}) \div (km_b - km_a)$$

Example :

Assume your kilometric rate ( $km_{est}$ ) = 207.000 km/month.

Rate of Travel Km/month <b>R</b>	Convictions Threshold Points (24-months) <u><math>Y_{con}</math></u>	Collision Threshold Points (per month) <u><math>Y_{con}</math></u>
200,000	66.20	2.758
210,000	69.51	2.896

← a  
← b



$$T_{est} = T_a + (T_b - T_a) \times (km_b - km_{est}) \div (km_b - km_a)$$

$$\begin{aligned}
 &= 66.20 + (69.51 - 66.20) \times (207,000 - 200,000) \div (210,000 - 200,000) \\
 &= 66.20 + 3.31 \times 7,000 \div 10,000 \\
 &= 66.20 + 2.32 \\
 &= 68.52 \text{ points}
 \end{aligned}$$

## Inspections

### Definition of Column Headings

**Units inspected (U):** The number of units, including vehicles and drivers, inspected in a given period.

**Inspection-threshold points (Y<sub>ins</sub>):** The number of inspection points in a given period for a specified number of units inspected that will result in being at 100 percent of inspection threshold.

$$Y_{ins} = 7.789 + 0.139 \times U$$

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
1	7.93
2	8.07
3	8.21
4	8.35
5	8.48
6	8.62
7	8.76
8	8.90
9	9.04
10	9.18
11	9.32
12	9.46
13	9.60
14	9.74
15	9.87
16	10.01
17	10.15
18	10.29

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
19	10.43
20	10.57
21	10.71
22	10.85
23	10.99
24	11.13
25	11.26
26	11.40
27	11.54
28	11.68
29	11.82
30	11.96
31	12.10
32	12.24
33	12.38
34	12.52
35	12.65
36	12.79

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
37	12.93
38	13.07
39	13.21
40	13.35
41	13.49
42	13.63
43	13.77
44	13.91
45	14.04
46	14.18
47	14.32
48	14.46
49	14.60
50	14.74
51	14.88
52	15.02
53	15.16
54	15.30

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
55	15.43
56	15.57
57	15.71
58	15.85
59	15.99
60	16.13
61	16.27
62	16.41
63	16.55
64	16.69
65	16.82
66	16.96
67	17.10
68	17.24
69	17.38
70	17.52
71	17.66
72	17.80
73	17.94
74	18.08
75	18.21
76	18.35
77	18.49
78	18.63
79	18.77
80	18.91
81	19.05

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
82	19.19
83	19.33
84	19.47
85	19.60
86	19.74
87	19.88
88	20.02
89	20.16
90	20.30
91	20.44
92	20.58
93	20.72
94	20.86
95	20.99
96	21.13
97	21.27
98	21.41
99	21.55
100	21.69
110	23.08
120	24.47
130	25.86
140	27.25
150	28.64
160	30.03
170	31.42
180	32.81

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
190	34.20
200	35.59
210	36.98
220	38.37
230	39.76
240	41.15
250	42.54
260	43.93
270	45.32
280	46.71
290	48.10
300	49.49
310	50.88
320	52.27
330	53.66
340	55.05
350	56.44
360	57.83
370	59.22
380	60.61
390	62.00
400	63.39
410	64.78
420	66.17
430	67.56
440	68.95
450	70.34

Units Inspected <b>U</b>	Inspection threshold points <b>Y<sub>ins</sub></b>
460	71.73
470	73.12
480	74.51
490	75.90
500	77.29
510	78.68
520	80.07
530	81.46
540	82.85
550	84.24
560	85.63
570	87.02
580	88.41
590	89.80
600	91.19
610	92.58
620	93.97
630	95.36
640	96.75
650	98.14
660	99.53
670	100.92

**Note:** An operator's rate of travel may not match an exact value in the tables. To interpolate a value, you may use the following formula.

Threshold Point =  $T_{est}$  where

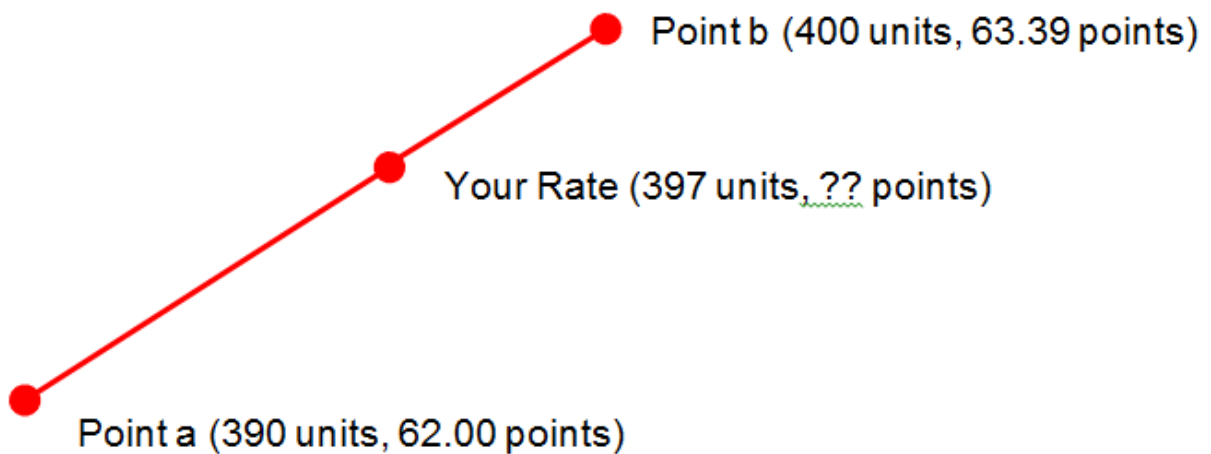
$$T_{est} = T_a + (T_b - T_a) \times (U_b - U_{est}) \div (U_b - U_a)$$

Example :

Assume you had 397 units inspected ( $U_{est}$ ) = 397 units.

Units Inspected $U$	Inspection Threshold Points $Y_{ins}$
390	62.00
400	63.39

← a  
← b



$$T_{est} = T_a + (T_b - T_a) \times (U_{est} - U_a) \div (U_b - U_a)$$

$$\begin{aligned}
 &= 62.00 + (63.39 - 62.00) \times (397 - 390) \div (400 - 390) \\
 &= 62.00 + 1.39 \times 7 \div 10 \\
 &= 62.00 + 0.97 \\
 &= 62.97 \text{ points}
 \end{aligned}$$

# Commercial Vehicle Operators' Safety Manual

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## Module 5 – Ontario Specific Enforcement Issues

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Ontario Specific Enforcement Issues – Learning Objectives**

As you work through this module, you will develop an understanding of:

- ✓ The commercial vehicle impound process
- ✓ Violations that can result in a vehicle being impounded and the effects of having a vehicle impounded under the program
- ✓ Who has the authority to impound your vehicle
- ✓ Speed-limiter requirements
- ✓ Which vehicles require a speed limiter and the benefits to your business by reducing the speed of large trucks

## Commercial Vehicle Impoundment Program

### Introduction

On February 2, 1998, the Government of Ontario introduced the Commercial Vehicle Impoundment Program (CVIP) as part of its aggressive campaign to improve commercial vehicle safety in this province. This program was a principal recommendation of Target '97, a joint industry/government task force that has worked together closely to improve truck safety in Ontario.

### Commercial Vehicle Impoundment

Commercial vehicle impoundment is part of a progressive enforcement program where critically defective commercial vehicles are impounded for a minimum of 15 days. Ontario is the first jurisdiction in North America to impound commercial vehicles for critical defects.

If one or more critical defects are found on a bus, truck or trailer, an officer will remove the plates and inspection stickers from the specific vehicle unit. Vehicles will not be impounded for defects found that meet the Commercial Vehicle Safety Alliance (CVSA) out-of-service criteria.

A vehicle found with a critical defect would be in far worse condition than a vehicle that just meets the out-of-service criteria.

If a vehicle is found to have critical defects, the Deputy Registrar of Motor Vehicles issues an order to impound the vehicle and suspend the vehicle registration. The vehicle's load will be removed at the inspection location and the vehicle will be transported, by a third-party contractor, to a secure impound facility.

The vehicle must remain at the impound facility for the designated period. After this period, the owner may claim the vehicle after all costs associated with the towing, removal and impoundment have been paid. The vehicle must then obtain a Safety Standards Certificate certifying it as safe before it can be operated in Ontario. Safety Standards Certificates can only be issued by a licenced Motor Vehicle Inspection Station after the vehicle is released from the impound facility. Commercial vehicles that are abandoned at impound facilities will be disposed of under the provisions of the *Repair and Storage Liens Act*.

## **Vehicles That Can Be Impounded**

Any commercial motor vehicle that is operated by a Commercial Vehicle Operator's Registration (CVOR) or National Safety Code (NSC) holder, or one that would require CVOR or NSC registration, and has a gross weight or registered gross weight exceeding 4,500 kilograms may be subject to impound if it is operated with critical defects. This includes buses, trucks and trailers drawn by these vehicles. This also includes all tow trucks, regardless of weight.

### **Exemptions:**

Ambulances, fire vehicles, hearses, casket wagons and motor homes are not affected by this legislation.

### **What Is a Critical Defect?**

The critical-defect criteria set out clear guidelines for determining when defects are serious enough to be considered critical to the safe operation of a commercial vehicle or trailer. These criteria have been developed for brakes, wheels and rims, steering, tires and suspension/frame components.

Commercial vehicles are in a significantly greater state of disrepair when impounded for critical defects than when they are taken out of service for failing to meet international standards set by the Commercial Vehicle Safety Alliance (CVSA). For example, a vehicle is placed out of service if 20 percent or more of its wheels have brake defects. However, this defect would be considered critical if *more than* 50 percent of its wheels have brake defects.

The critical-defect criteria, which were developed by government and industry, are detailed in Regulation 512/97 of *the Highway Traffic Act*. Copies of the regulations are available on the [e-Laws website](#).

### **Locations for Critical-Defect Inspections and impoundment**

Inspections for critical defects and impoundment are carried out at specified truck-inspection stations across the province. These stations are selected for their strategic location and their exposure to high volumes of commercial traffic.

### **CVIP Affect on Buses**

Buses, including school buses and motor coaches, are commercial vehicles and are subject to impoundment.

## **Consequences of Vehicles Impounded under CVIP**

After the vehicle is inspected and found to have critical defects, charges are laid against the owner and/or operator and/or driver. The vehicle is then impounded for a prescribed period. Before the impounded vehicle is removed from the inspection site, it must be off-loaded, repaired and put in a safe condition for towing. Vehicles that cannot be made safe for towing must be placed on a flat-bed trailer and transported to the impound facility.

The impoundment period is 15 days for the first incident within a two-year period. A second incident within two years will result in a 30-day impoundment. A third or subsequent incident within two years carries a 60-day impoundment.

The operator will be charged with "operating an unsafe vehicle" and is responsible for all costs associated with the removal, transfer and storage of the load.

The owner is also liable for the fees and costs associated with towing and impoundment, and cannot use the vehicle for doing business during the impoundment period.

The driver may also be subject to charges. Fines for safety-related offences are set out in the *Provincial Offences Act* and may be as high as \$20,000.

When the impound period is complete, the vehicle is released by the Deputy Registrar and must be towed or floated to a qualified repair facility. The vehicle cannot be driven on any Ontario highway until it has been inspected and a safety standards certificate has been issued. Only then will plates and permits be reissued for the vehicle.

## **Cost of Impoundment**

The fees charged for towing, floating, storage of vehicles and goods, and the transfer of loads are established in contracts between MTO and impound facilities.

Although a reasonable fee schedule has been established, they may be higher where towing distances are longer or in urban areas where commercial property costs may be higher.

This is a user-pay system, whereby the impound facility is paid directly by the owner/operator responsible for the vehicle and load.

## **Impound Facilities**

Impound facilities are located within a reasonable towing distance of the inspection location that they serve. One impound facility may provide service to more than one inspection location if the facility is in close proximity to multiple inspection sites.

The selection of impound facilities is based upon their ability to provide secure, reliable service at a reasonable cost.

### **What Happens to the Load?**

All impounded vehicles must be off-loaded at the inspection site. The load must then be transferred to another vehicle.

This transfer of loads and loss of perishable cargo is the responsibility of the operator of the vehicle. Where buses are impounded, the operator is responsible for providing alternate transportation to the passengers.

### **Appeal Process**

The owner of the vehicle is the only party who can appeal the impoundment. An appeal may be made to the [Licence Appeal Tribunal](#) on one of two grounds:

1. If the vehicle was stolen
2. If the critical defect was not present at the time of the daily inspection

During the appeal, the owner may apply to the Superior Court of Justice to have the vehicle released from the impound facility after all fees and towing charges have been paid and security has been posted. The Superior Court of Justice will set security of between \$5,000 and \$10,000.

If the appeal is successful, the owner will be reimbursed by the Crown for the cost of towing and impound fees.

If the Order to Impound and Suspend is not overturned, the owner must return the vehicle to the impound facility for the remainder of the period or forfeit the posted security.

Appeals will be conducted orally unless a written hearing is requested and agreed upon. Hearings will be heard as quickly as possible and decided on within 30 days where required. Appeals may be heard in numerous locations across Ontario.

### **Effect on Your CVOR Record**

The impoundment will be recorded on the operator's CVOR record and applicable points will be assigned.

For further information contact:

**Ministry of Transportation**  
**Commercial Safety and Compliance Branch**

**Commercial Vehicle Impoundment Program**

301 St. Paul St., 3rd Floor

St. Catharines, Ontario L2R 7R4

Telephone: (416) 246-7166 or 1-800-387-7736 (in Ontario only)

Fax: (905) 704-2683

## **Mandatory Truck Speed Limiters**

A speed limiter is an electronic device that is installed in heavy trucks, and caps the speed at a maximum of 105 km/h. Most large trucks driven in Ontario are required to use speed limiters.

Studies conducted by the federal government, through Transport Canada, have demonstrated the environmental, safety and cost-saving benefits of speed limiters. Ontario and Québec worked together to jointly launch and implement speed-limiter regulations.

### **Trucks That Require Speed Limiters**

If a commercial motor vehicle was built after December 31, 1994, with a manufacturer's gross vehicle weight rating of 11,794 kilograms or more, and is equipped with an electronic control module, then the vehicle is subject to being speed limited. Exemptions to these apply only to a limited number of vehicle types such as ambulances or fire trucks.

### **Legislation**

Ontario passed legislation and supporting regulations to mandate the use of speed limiters on commercial vehicles in 2008. Links to the legislation and regulations can be found below:

- [Legislation](#)
- [Regulation](#)

### **Enforcement**

Police and MTO enforcement officers use both existing traffic-control techniques and portable electronic testing units to verify the activation of a vehicle speed limiter at a maximum of 105 km/h.

The use of portable electronic testing units provides access to the vehicle engine data, and confirms if the limiter has been activated at a speed of 105 km/h or less. It is necessary for officers to plug into a data port located within the cab of the truck. Failure to assist with or allow the inspection will result in charges.



**Benefits**

- Reducing the speed of a vehicle will result in lower fuel consumption that helps reduce greenhouse gas emissions and saves money on fuel purchases.
- Drivers expose themselves to a number of dangers by exceeding speed limits. Driving at higher speeds induces stress that results in fatigue and loss of concentration. Speeding makes it more difficult to react to changes, stop suddenly and control the vehicle – and, in case of a collision, the higher the speed, the more severe the collision.
- Setting speed limiters at 105 km/h or less will reduce the operating costs of many transportation companies by reducing fuel consumption and increasing vehicle energy efficiency.

# Commercial Vehicle Operators' Safety Manual

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## Overview

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The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Operator Monitoring, Intervention and Facility Audit – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Understand how an operator is selected for a facility audit.
- ✓ Understand the three main elements of a facility audit.
- ✓ Understand how a facility audit affects your Carrier Safety Rating.
- ✓ Prepare for a facility audit.
- ✓ Describe procedures for carrying out a facility audit.
- ✓ Describe the documents and records that an auditor will review.
- ✓ Complete the step-by-step process of a self-audit.
- ✓ Understand how operators are monitored by MTO.
- ✓ Describe progressive discipline and how it can be used as a disciplinary tool.
- ✓ Identify administrative penalties.
- ✓ Understand the appeal process.

## Facility Audit Program

An operator can be subject to a facility audit at any time, and the Ministry of Transportation has the authority to audit an operator under the *Highway Traffic Act*.

The Ontario facility audit is based on the *Highway Traffic Act*, which prescribes the requirements for commercial vehicle operators to maintain all driver and vehicle records within a defined time period and make them available to a facility auditor when requested.

The current facility audit is a "**risk based**" assessment of the elements known to cause or contribute to commercial motor vehicle collisions, and to reduce that likelihood. The audit examines the operator's safety-management controls that are in place, to ensure drivers are:

1. Qualified to drive the operator's equipment
2. Conducting the proper inspections of the operator's equipment and report deficiencies whenever they occur
3. Compliant with the driving limitations and rest requirements of the Hours of Service regulation

## Profiles

The three main elements (profiles) of a facility audit are:

### 1) Vehicle Maintenance

- Records current for a period of 24 months, or six months after the vehicle ceases to be operated

### 2) Hours of Service

- Records current for a period of six months

### 3) Driver Qualification, Records and Reporting

- Records current for a period of two years, or from the date the driver started with the operator (if less), or six months after the driver ceases to be employed.

Profile	Contents and Weightings
Vehicle Maintenance (100 points)	Detection, Reporting and Repair (40) Preventive Maintenance (30) Records (20) Annual and Semi-Annual Inspections (10)
Hours of Service (100 points)	Quantified Margin of Error (90) Data Items (10)
Qualifications, Records and Reporting (100 points)	Qualified Driver (60) Driver Abstracts (15) Conviction Records (15) Operator Collisions (10)

## Facility Audits and Carrier Safety Ratings

An operator must undergo a facility audit to become eligible for a satisfactory or excellent Carrier Safety Rating. This rating is based on the operator's violation rate, audit compliance achieved and profile compliance rate.

Where an operator fails an audit (with an audit compliance achieved of less than 55 percent, or a score of less than 50 percent on any profile compliance rate), a rating of "conditional" may be proposed by the Deputy Registrar of Motor Vehicles.

### The overall audit score is expressed as:

**Pass** – if the overall audit score is 55 percent or greater, and no profile is below 50 percent

**Fail** – if the overall audit score is below 55 percent, or any profile is below 50 percent

## How to Prepare for a Facility Audit

The facility audit is one of many methods the ministry uses to monitor a commercial vehicle operator's compliance with requirements for record-keeping, driver control and vehicle maintenance, to better achieve road safety.

### **A facility audit is conducted for these reasons:**

- When on-road events change an operator's overall violation rate, exceeding the allowable threshold by 50 percent
- If an operator has previously failed a facility audit within the past five years, and has not passed an audit since that time
- To verify that an operator is fulfilling commitments that were made to the Deputy Registrar
- Operators may voluntarily request an audit to have their Carrier Safety Rating evaluated
- To review complaints made about the unsafe performance of an operator's driver, vehicle or both

To maintain transparency in the audit process, the software used by the auditor is programmed to randomly select drivers. To meet the sample requirements of the vehicle maintenance profile, the auditor will first select vehicles from the operator's Commercial Vehicle Operator's Registration (CVOR) record and select "events" to satisfy the sample size requirements. Vehicles will be randomly selected only when a search of the operator's CVOR record fails to meet the sample requirements.

## Audit Procedure

A facility auditor **may** contact the operator to schedule an audit, by phone or in writing.

The purpose of the facility audit, as well as the documents that will be required, is clearly explained to the operator at that time. The auditor may also want to verify some details about the operator's business during the call.

At the **entrance interview**, the auditor explains the purpose, procedure, scoring and importance of the audit, and its potential impact on the operator's Carrier Safety Rating and carrier profile.

The auditor will also ask the operator to explain and demonstrate (with documentation) the hours of service and vehicle maintenance monitoring and recall systems used to assess whether they are complying with the regulations.

An operator will be asked to produce, in writing, a preventive maintenance schedule. The document will be reviewed and used by the auditor to determine if the operator's maintenance schedule is being followed.

## Documents That an Operator Must Provide to an Auditor

The documents and records that an auditor will review are discussed at the time the audit is scheduled, and may include – but are not limited to – the following:

- A complete driver/vehicle list (current and six months ago)
- Driver abstracts
- Collision reports
- Independent time markers from operator or MTO records (for example, toll receipts, roadside inspection reports, conviction records and so on)
- Payroll records
- Invoices (cell phone, fuel, bridge-authority commercial accounts and so on)
- Bills of lading
- Operator's invoice records
- Bridge tolls
- Accommodation/fuel receipts
- Operator's maintenance statements



- Maintenance files (power units and trailers)
- Annual inspection certificates
- Semi-annual inspection certificates
- Driver logs and time records
- Daily inspection reports
- Dispatch records
- Computer-generated records
- Electronic on-board recording devices or GPS satellite tracking-systems reports, if applicable
- Proof of insurance
- Or any supporting document that could be used to assess compliance

The audit will be completed in a timely manner, but its length will vary depending on a number of factors, such as the size of the operation, the availability of records, and the availability of the auditor and the operator's support personnel.

## **Audit Results**

After the audit is completed, an **exit interview** takes place. The operator receives a summary of the audit, with scores for each driver, vehicle and, if applicable, collision files that were examined. The operator will be given ample opportunity to review and discuss with the auditor the results of the audit and any possible charges.

## Conducting a Self-Audit: A Step-by-Step Process

### Vehicle Maintenance Profile

This profile examines the operator's daily inspection and driver protocols, record-keeping and the retention of maintenance files. It is broken down into four distinct elements:

- Detection, reporting and repair (40 points)
- Preventive maintenance intervals (30 points)
- Records (20 points)
- Periodic mandatory commercial vehicle inspections (10 points)

#### Step 1 – Calculating Detection, Reporting and Repair

Examine the "event" date indicated on the commercial vehicle inspection report. If an inspection is not available, use any event that places the vehicle on the highway during the past six months.

1. If the vehicle daily inspection reports (including schedules) are improper or missing, 10 points are deducted.
2. If inspection reports indicating vehicle defects, copies of roadside inspection reports and report notices are not appropriately submitted by the driver, 10 points are deducted.
3. If the reported vehicle defects are not repaired before the next vehicle dispatch, 10 points are deducted.
4. If the maintenance records do not contain the appropriate information required after the reporting of the defect, 10 points are deducted.

\*\* The total number of points (maximum of 40) will be referred to as "A."

#### Step 2 – Calculating Preventive Maintenance (PM) Intervals

To calculate the PM score, record the most current date of preventive maintenance and work back a total of two years. The vehicle will be scored when:

Operators Maintenance Interval	Points Removed
PM < 90 days	When PM interval exceeds 90 days
PM > 90 days	When PM interval is exceeded
Based on mileage	When interval and 90 days are exceeded

If a vehicle is operated on a highway in contravention of any PM interval, the full 30 points will be deducted.

\*\* The total number of points (maximum of 30) will be referred to as "B."

### Step 3 – Annual and Semi-Annual Inspections

Record the most current annual or, if applicable, the semi-annual inspection certificate, to a maximum of three.

If a vehicle is operated on a highway within 24 months of the audit and in contravention to the annual and semi-annual inspection interval, 10 points will be deducted.

\*\* The total number of points (maximum of 10) will be referred to as "C."

### Step 4 – Calculating the Score for Records

This element of the vehicle maintenance profile is composed of four units, with a value of five points each:

1. The operator's PM program is in writing.
2. The records and reports for the vehicle are maintained at the appropriate location (principal place of business or terminal).
3. The records and reports have been maintained for two years, or for six months after the vehicle ceases to operate.
4. The records and reports for the vehicle contain all the applicable information, such as dates, odometer readings of inspection and repair and so on, as required by *Highway Traffic Act* Regulation 199/07 Section 7 and 16.

**Note:**

- When scoring this unit; do not use the daily inspection that was used in Step 1 in detection, reporting and repair.
- Any leased vehicles or vehicles in the operator's possession will receive a full score in Step 4 if the information in detection, reporting and repair is compliant.

**\*\*The total number of points (maximum of 20 points) will be referred to as "D."**

**To calculate each vehicle score, add the scores from each of the above steps:**

A + B + C + D equals a total of 100 potential points.

- To calculate the eligible points for all vehicles in this profile, add all eligible points from the above steps.
- The overall compliance achieved is expressed as a percentage of the total points and eligible points.
- The compliance rate is expressed as points based on the percentage of compliance achieved.

## Sample Calculation of the Vehicle Maintenance Profile

Plate Number	Detection, Reporting and Reporting (40%)	Preventive Maintenance (30%)	Annual and Semi-Annual Inspections (10%)	Records	Score
111111	10.0%	0.0%	10.0%	5.0%	25.0%
111112	10.0%	0.0%	0.0%	20.0%	30.0%
111113	30.0%	30.0%	10.0%	15.0%	85.0%
111114	0.0%	30.0%	10.0%	15.0%	55.0%
112222	30.0%	30.0%	10.0%	20.0%	90.0%
122223	40.0%	0.0%	10.0%	20.0%	70.0%
TOTAL POINTS	120.0	90.0	50.0	95.0	355.0
Eligible Points	240.0	180.0	60.0	120.0	600.0
Compliance Achieved	50.0%	50.0%	83.3%	79.1%	59.1%
Compliance Rates	20.0	15.0	8.3	15.83	50.17

## Qualification, Records and Reporting (Q,R&R) Profile

This profile consists of several elements that are tailored to fit the specific operational scope of the operator. Driver qualifications, conviction reporting and record retention are examined and, if applicable, the reporting and resolution of collisions. Retention periods vary for each element, and are explained below. Operators may be exempt from certain record-keeping requirements, such as being a driver/owner. Points are blended to represent only those elements applicable to the operator.

The profile elements and their represented weighting are as follows:

Qualified Drivers (60 percent)

Driver Abstracts (15 percent)

Conviction Records (15 percent)

Operator Collisions (10 percent)

The **driver/owners** would not be expected to acquire and retain abstracts and records on themselves. In those cases, the 60-percent rating for qualified drivers is then

expressed as 100 percent. Operators with no collisions on their records will automatically receive the 10 percent for operator collisions. Drivers selected for this profile will be used in the hours of service profile.

See Appendix A, “Sample Calculation of the QR&R and Hours –of -Service Profiles,” for details.

## **Hours of Service Profile**

### **Definition**

A quantified margin of error (QMOE) is the difference, in hours, between what a driver reports on his daily log and the time indicated on a supporting source document. All times are recorded to the quarter-hour (15 minutes).

The margin of error can be calculated in the following manner:

1. The time in excess of the driving limitations (13-,14- and 16-hour rule)
2. The time in excess of the cycle limitations (70- and 120-hour rule)
3. Driver scored “missing 24 hours” for a missing daily log or time record
4. For a false daily log, time difference doubled when it exceeds two hours

### **Calculating the Driver Profile**

To calculate a driver score, the following steps must be followed:

1. Record all the on-duty time reported by the driver for a one-month period (call it **X**).
2. Examine each day of the month by comparing receipts for bridge tolls, fuel, accommodation and meals, telephone and GPS documents to the entries indicated on the driver’s daily log.
3. When more than one margin of error is detected in a day, only record the highest.
4. Total all margins of error for the month (call it **Y**).

When **Y** exceeds 10 percent of the **X** total, the driver has lost all of the 90 points available. The driver can lose 10 data points if the hours –of -service documents fail to record name, duty statuses, odometer readings, location, vehicle plate number, cycle, address, previous hours, date and time/total.

For a sample calculation, refer to Appendix A, “Sample Calculation of the QR & R and Hours of Service Profiles.”

## Facility Audit Sample Size Guideline

Number (Driver/Vehicles)	Sample Size (Driver/Vehicles)
1	1
2 to 5	ALL
6 to 9	6
10 to 12	8
13 to 15	9
16 to 18	10
19 to 22	11
23 to 26	12
27 to 32	13
33 to 40	14
41 to 50	15
51 to 64	16
65 to 85	17
86 to 121	18
122 to 192	19
193 to 413	20
144 to 500	21
+ 501	25

For further information on vehicle maintenance and hours of service requirements, refer to the *Highway Traffic Act*.

### **Vehicle Maintenance**

[O. Regulation 199/07 \(Commercial Motor Vehicle Inspections\)](#)

### **Hours -of Service Requirements**

[O. Regulation 555/06 \(Hours of Service\)](#)

For more information please contact:

### **Facility Audit Administrator**

### **Carrier Sanctions and Investigations Office**

### **Ministry of Transportation**

301 St. Paul Street, 3rd Floor

St. Catharines, ON L2R 7R4

Tel: 1-800-387-7736 (within Ontario only) or 1-416-246-7166

Fax: 905-704-2039



## **Intervention and Consequences of Non-Compliance**

As a result of an audit, MTO may take any one or a combination of the following intervention options:

- no action, as the operator has demonstrated acceptable compliance
- request a comprehensive action plan, acceptable to MTO, which the operator must develop
- impose conditions on the operator's CVOR certificate, requiring the operator to take specific actions by the specified dates
- not issue various types of permits or certificates

Facility audit information is quantified and becomes an integral part of determining an operator's Carrier Safety Rating. Therefore, it is essential that an operator demonstrate a high level of compliance to maintain an acceptable safety rating. Failure to do so may lead to an operator being restricted or prevented from operating commercial vehicles in the Province of Ontario.

## Monitoring

Operators are expected to achieve and maintain a high level of safety compliance by adopting effective safety-management practices.

In spite of the benefits of operating safely, some operators persist in a pattern of non-compliance with safety-related regulations. The ministry takes a progressive approach in dealing with them, in the hope of changing their behaviour.

Operators are routinely monitored for safety compliance. Duties of the ministry's enforcement staff include:

- patrolling the highways to detect violations and contribute to the safe movement of goods and people
- conducting facility audits and investigating serious safety issues
- conducting dangerous-goods inspections

## CVOR Monitoring

Operators based in Ontario, as well as US-based operators that operate in Ontario, must obtain a CVOR certificate from the ministry.

This registration permits the ministry to gather all information relating to their operations in Ontario. Information is sent to the ministry from agencies across North America, where it is monitored and analyzed by ministry staff, and provides the basis for establishing an operator's safety rating.

The CVOR system tracks the on-road safety performance of each registrant operator. The goal of the CVOR system is to improve road safety for all users of Ontario highways, by having an effective monitoring and intervention system for all carriers. Poor performance may result in the loss of privileges to operate commercial motor vehicles.

All operators who are required to operate their vehicles under the authority of a CVOR certificate are monitored in the following areas:

- Collisions
- Convictions
- Inspections
- Commercial Vehicle Safety Alliance inspection results

**For more information on CVOR monitoring, violation rates and Carrier Safety Rating, see Module 4 of this manual.**

## **Progressive Intervention**

The purpose of ministry sanctions and intervention is to reduce the number and severity of collisions, and reduce risk to the public. This program ensures that operators demonstrating non-compliance are approached in a consistent, fair and objective manner, yet is flexible enough to allow for special circumstances.

When contemplating an intervention action with an operator, the ministry considers:

- Predetermined stages established
- Information in the operator's profile
- Operator's monitoring stage (if any)
- Audit information collected
- Information collected through an investigation or inspection
- Other appropriate information about significant incidents related to safety or compliance to safety laws
- Disciplinary letters sent regarding unacceptable performance
- Charges laid resulting from a facility audit
- Direction to the operator to arrange for a compliance audit
- "Conditional" Carrier Safety Rating
- Suspension/cancellation of the operator's operating privileges
- "Unsatisfactory" Carrier Safety Rating
- Fleet limitation
- Seizure of plates

When considering an intervention, the level of risk that the operator represents to the road safety will be considered. Operators representing the greatest risk to the road safety will be given the least amount of time to make adjustments to their practices. Operators that present an immediate risk to public safety will be dealt with using any of the available tools considered appropriate at the time.

**Sanctions and interventions** are progressive in nature, and ensure that all operators are treated in a consistent and fair manner. They are used to modify an operator's behaviour and obtain positive change. An operator might progress through some or all of these intervention actions until their activities are managed appropriately and safely. If an operator fails to properly manage their administrative and safety processes, they may be issued an unsatisfactory or conditional safety rating, or ultimately lose their privileges and have their CVOR certificate cancelled. This would mean that they could no longer operate commercial vehicles on any highways in Ontario.

## **Appeals**

If the operator believes a penalty imposed by the Deputy Registrar was not appropriate, then the operator has the option of initiating an appeal to the Licence Appeal Tribunal as per subsection 50(1) of the *Highway Traffic Act*.

The *HTA* allows the operator to file an appeal within 30 days of notification of a decision, or an action, that has been imposed on them by the Deputy Registrar. For a fee, appeal hearing application forms can be obtained from the Licence Appeal Tribunal.

For additional information, visit the [Licence Appeal Tribunal website](#) or call (416) 314-4270.

## Appendix A: Sample Calculation Qualification, Records and Reporting and Hours of Service Profiles

	HOURS OF SERVICE			QR and R						
				QUALIFICATIONS and RECORDS				OPERATOR COLLISIONS		
NAME	QMOE (90%)	DATA ITEMS (10%)	DRIVER SCORE (100%)	QUALIFIED DRIVER (60%)	DRIVER ABSTRACT (15%)	DRIVER CONVICTIONS (15%)	DRIVER SCORE (90/100%)	REPORTED (5%)	ACTION (5%)	OPERATOR SCORE (10/100%)
DRIVER 1	0.00	8.00	8.00%	60.00	15.00	15.00	81.00%			
DRIVER 2	90.00	6.00	96.00%	60.00	15.00	15.00	81.00%			
DRIVER 3	0.00	9.00	9.00%	60.00	15.00	15.00	81.00%			
DRIVER 4	0.00	6.00	6.00%	6.00	15.00	15.00	81.00%			
DRIVER 1								50.00%	50.00%	100.00%
DRIVER 2								50.00%	50.00%	100.00%
DRIVER 3								50.00%	50.00%	100.00%
TOTAL POINTS							NO COLLISION ADD 10			
ELIGIBLE POINTS										
COMPLIANCE ACHIEVED										
COMPLIANCE RATES										
HOURS OF SERVICE COMPLIANCE RATE: 29.75%				QUALIFIED COMPLIANCE		90.0%	COLLISION COMPLIANCE:		10.0%	
				QR and R COMPLIANCE RATE: 100.0%						

# Commercial Vehicle Operators' Safety Manual

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## Module 7 – Safety Programs, Record-Keeping and Driver Files

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## Safety Programs, Record-Keeping and Driver Files - Learning Objectives

As you work through this module, you will be able to:

- ✓ Identify best practices of record-keeping and development of a safety program.
- ✓ Understand the benefits of developing a safety program.
- ✓ Identify the recommended components of a safety program.
- ✓ Develop those policies that could be included in the safety program.
- ✓ Understand the importance and benefit of a clear hiring, training and orientation process.
- ✓ Develop a process for record-keeping.
- ✓ Describe the requirements for a driver file.
- ✓ Understand how, and what data to analyze, to keep an effective and current safety program.

*Some aspects of this module provide guidance to operators with one or more employees. It is understood that not all operators will have employees, however, the intent is to assist those who do and prepare owner operators for future growth.*



## Safety Programs

In Ontario, there are no legal requirements under the *Highway Traffic Act* to develop or maintain a safety program for your business. However, it is considered a best practice to develop a program that addresses matters relating to the safe use and operation of commercial vehicles.

### Why a Safety Program Is Good Practice

A safety program ensures that management has the information available to make proper decisions to establish safe working conditions for all operators and operator's employees, coupled with heightened awareness of road-safety compliance. A good safety program will reduce property damage and, more importantly, prevent injuries and deaths. It is also a resource for the employees, to know and understand their rights and responsibilities.

Other legislation such as the *Occupational Health and Safety Act (OHSA)* may require additional components to a safety program. To consult the *OHSA*, access the regulation on the [E-Laws website](#).

Or visit [Ontario Ministry of Labour](#)

Or [Federal Health and Safety](#)

### Who the Safety Program Is For

The safety program should apply to all employees involved in any function related to the truck or bus company, including but not limited to:

- Full-time, part-time and temporary drivers of regulated vehicles
- Person(s) managing/directing drivers, safety officers and maintenance personnel
- Administrative staff performing safety-related functions
- Person(s) repairing or fuelling vehicles
- Safety officers

## Due Diligence

Due diligence – a defence often used in courts – means that everything reasonable was established and implemented to prevent a violation or incident. So, when developing, maintaining and implementing a safety program, you must understand your legal responsibilities. You are required to develop policies and procedures, and keep records indicating clearly that you have fulfilled your responsibilities. Ignorance of the law is not a defence.

Here are some specific items that operators should consider to ensure due diligence:

- Knowing acts and regulations and keeping up to date with the changes
- Hiring qualified staff
- Documenting the responsibilities of staff involved in safety-related areas, as well as the general responsibilities of all staff in the workplace (for example, log-book requirements or emergency procedures)
- Educating staff on legislative requirements, company policies, procedures, rules and so on
- Monitoring internal safety systems to ensure compliance to written policies and to legislative requirements
- Informing staff of legislative or company policy changes
- Disciplining staff and documenting actions when they happen
- Keeping records to prove that a safety program has been established and implemented (for example, written policies and documenting training activities)

Due diligence requires that all policies, procedures and activities must be in place before collisions or violations occur.

## Components of a Safety Program

A safety program or plan is a written document that outlines the safety practices and expectations for all employees within an operator's organization. A program needs to be customized to meet all of the safety issues of the operator.

It is recommended that a safety program address at least the following issues:

- Speed limits, seat-belt use, drug and alcohol use, defensive driving, fatigue management, load security, and fuelling.
- Proper records and recording of information, including bills of lading, manifests, dangerous goods documents, time records, drivers' daily logs, daily inspection reports and weigh slips.
- Policies indicating that drivers are expected to comply with the law, as well as policy and procedures related to driver training, responsibilities, conduct and discipline.
- Instructions for the use of safety equipment issued, including the use of flags and flares, fire extinguishers, goggles, and hard hats.
- Training for employees about safety laws and their application.
- An ongoing program for evaluating employees' driving skills.
- Retention of complete records for each driver.
- Policies for ensuring that drivers are properly qualified for the type of vehicle that they operate.

Communication is key to the success of a safety program. A system could be developed to ensure that:

- Management is aware of all critical items that affect the company, so they can respond to problems that arise.
- Items such as training, incidents, collisions, convictions and so on are documented.
- Recall systems are set up for items such as annual inspections, expiry dates for drivers' licences, drivers' abstracts and schedules (for preventive maintenance, future training and so on).
- Employees are trained, and trainers are qualified to give instruction.

- Employees, by attending training, know what is required to be in compliance with the expectations outlined in the safety program.

## **Developing a Written Safety Program**

Though not required, it is considered a best practice to develop a written safety program. You should develop a policy statement, procedures, training requirements, recording method, evaluation and the consequences of non-compliance. You should also tailor your safety program to your specific needs.

### **Written Policies, Procedures and Practices**

Policies and procedures inform and direct the behaviour of employees in an organization. Employees should be able to look up procedures for different situations. Each operator should identify critical situations and specify how each should be handled. Corrective measures should be identified in anticipation of an unsafe event.

For example, a policy and procedures document outlining how to deal with a small fire in a terminal building or in a vehicle will inform the staff of what they should do in such a situation. Training on how to use portable fire extinguishers would give employees the skills and confidence required to deal safely with this situation.

### **Training**

Employers have a legal obligation under the *Occupational Health and Safety Act* to make sure that their staff is properly trained for the duties to which they are assigned. After hiring, train all employees and re-train when necessary, to ensure that they will be able to carry out their responsibilities efficiently and safely.

Keep a record of all staff training in the employee's file.

### **Measurement / Evaluation**

The operator should have procedures to evaluate the critical tasks. For example, reviewing drivers' daily logs for completeness and accuracy is one means of evaluation.

### **Discipline / Enforcement**

The operator should clearly identify the consequences of not complying with, or refusing to comply with, the adopted policies and procedures. Monitoring of compliance, and any disciplinary actions that result, should be progressive in nature and recorded.

## Components of a Comprehensive Safety Program

What follows are important issues that should be considered in your safety program.

### The Hiring Process

Drivers can be an operator's most valuable asset, or its biggest liability. Care should be taken to ensure that your company attracts and develops qualified, professional drivers. Selective hiring of safe, skilled drivers with good work habits, who fit into the company environment, helps minimize employee turnover and reduces training costs.

The following are **tips** for developing good hiring practices:

- Designate one person to oversee the hiring of new drivers.
- Consider how you advertise for new drivers. You may look to employees for referrals. If you advertise, stress your high standards, safety requirements and exclusive hiring practices.
- Focus on an applicant's positive attitude, trainability and then relevant experience. It is much easier to train a new driver with a good attitude than to change the attitude of an experienced driver.
- Choose a maximum violation and collision threshold for new hires that you feel is reasonable. Consider if your threshold will include preventable collisions only, or all collisions. Do not hire the applicant if the threshold is exceeded.
- Look for a minimum experience level for new hires. If you cannot find an experienced driver, you may want to look at an applicant who displays the proper attitude and aptitude for training. Consider what type of equipment the candidate would be using. You may want to assign new hires to yard, dock or local duty for a probationary period.
- Conduct a personal interview to evaluate attitude, literacy and language skills. Consider the following in your interview process:
  - Question any employment gaps shown on a résumé.
  - Have a second interviewer confirm the candidate's potential and capabilities.
  - Follow up by contacting references and past employers.
  - Look for positive attributes during the interview. These positive attributes include manners, professionalism, being open-minded to change, team-player orientated and so on. You want to hire an applicant who will fit into your company.

- If the applicant has worked for a number of companies, find out why. Avoid hiring drivers with past performance problems.
- Evaluate the financial performance of owner/operators. Those successful in the past are an indicator of long-term safety performance and of a good professional driver.
- Review a current driver abstract to confirm history as a condition of employment.
- Use an experienced driver to conduct a driving evaluation of all possible new hires. Use a thorough test that includes two- and four-lane highways, city driving, and yard backing and parking. Things to look for include: shifting, turning, mirror usage, speed and general awareness. Develop a written and a road exam, or a check-off form, to test an applicant's skills and knowledge.
- Look for positive attitudes in safety representatives, accountants, dispatchers, mechanics, dock workers and so on. Use much the same approach as in the hiring of drivers.
- Be honest with applicants. Fully explain what is expected of employees. Do not promise benefits and compensations that you will not be able to deliver.

## **Orientation**

Orientation is part of employee training. The purpose of an orientation program is to familiarize new employees with their jobs and the company, including all policies and procedures.

Use an experienced driver to assist with the orientation of new ones. Ensure that your experienced driver is suitably trained to do the orientation. Consider developing a list of “Must Always Do” and “Must Never Do” as part of your orientation program, to heighten consistency in material being covered in each case.

Consider having new drivers ride with those who are experienced for a time period. Use experienced drivers who are committed to the company's goals and objectives, and who have a proven safety record.

If your company has numerous vehicle configurations, have the driver start with simpler equipment and advance to more specialized equipment as experience is gained.

Experienced employees from other areas of your company can be used to assist with the orientation in their areas.

## Training Items for a Safety Program

When providing training specifically, or at staff safety meetings, it is good practice to keep a record of the training offered, who took it and what results were obtained, along with a recall system to find the information at a later date. Choose the training programs and the instructors carefully to ensure that the training is effective and specific to your equipment.

Some common topics to be covered in training are listed below. It is important to be consistent and provide the same training to all staff.

- Safety equipment
- Load security
- Vehicle operation and safe driving
- Hours of service
- Vehicle maintenance
- National Safety Code
- Company safety program
- Transportation legislation
- *Occupational Health and Safety Act*
- *Highway Traffic Act* and other relevant legislation

## Driver Files

Operators to which Regulation 555/06 (Hours of Service) apply are required to monitor their drivers performance to ensure that they meet these regulated requirements. Operators are also required to document corrective action taken to address incidents of non-compliance.

Below are the required and recommended items associated with a Ministry of Transportation facility audit to be kept in an operator's drivers' files for each person who is authorized to drive.

### Required Documents:

- A CVOR Driver's Abstract obtained within the preceding 12 months of the audit.
- A record of all convictions and/or administrative penalties for provincial and federal legislation that have taken place in the last 24 months.
- Record of all collisions involving any commercial motor vehicles and a record of any action taken by the carrier to demonstrate that they have responded to the incident.
- Records that confirm the completion of dangerous goods training, if applicable.

The operator uses this information, as well as training and testing, to decide whether or not the driver is fit to drive. All drivers, full time or part time, and any employees who may drive, should be included. Drivers hired from a pool must also be included. The operator should ensure that similar records are kept by the agency providing the drivers.

In addition, an operator should consider including the following documents as part of its driver files:

- Completed application form.
- Record of three-year employment history.
- Record of all collisions involving any motor vehicle.
- Record of all training completed.
- Copy of current medical certificate (indirect information may be acceptable, such as a copy of the driver's abstract or drivers licence).

As a best practice, the operator should consider incorporating the following suggestions as part of their driver screening:

- Set up an annual review for all drivers.



- Provide recognition for good performance, as well as opportunities for improvement.
- Set up a recall system for notification of when records and training need to be updated.
- Obtain and review driver abstracts more than what is required (i.e. monthly, quarterly, etc.)
- Obtain and review the carrier profile every one to six months.

The operator should use this information, as well as training and testing, to decide whether or not the driver is fit to drive. All drivers, full time or part time, and any employees who may drive, should be included. Drivers hired from a pool must also be included. The operator should ensure that similar records are kept by the agency providing the drivers.

## **Driver Qualification File**

The Ministry of Transportation recommends that an operator set up an individual qualification file for each driver. A checklist of required and recommended documentation can be attached to the cover of each file, to assist the operator in maintaining up-to-date information. The operator should set up and keep files on each person authorized to drive their vehicles. This is to ensure that a driver is qualified and continues to be qualified to operate a commercial vehicle. The file should contain at least the following:

- Application for employment and employment history.
- Collision and violation disclosures.
- Driver record (abstract).
- Annual review of driver fitness.
- Corrective disciplinary action.
- Certificates of dangerous goods training.
- Record of training by driver.
- Record of medical requirements/expiry, if applicable.

### **1. Application for Employment and Employment History**

#### **Operator**

The driver's completed application for employment, plus a complete employment history for at least three years immediately before the time the driver started working for the operator, are suggested.

### **2. Single Driver Licence Disclosure**

#### **Driver**

A driver is not allowed to hold more than one valid driver's licence issued by any jurisdiction at any one time. To be hired by the operator, the driver should disclose the name of each province/ territory in Canada or US state/district/ territory where he or she is licensed; the class of licence held; whether or not that licence has been suspended; and the name in which each driver's licence has been issued. While employed with the operator, the driver must also disclose, without delay, any suspensions, cancellation, prohibition or change in classification of the licence.

## **Operator**

The operator should ensure that drivers only operate vehicles allowed by their licence class, conditions and endorsements.

### **3. Disclosure of Collisions – Scored in a Facility Audit**

#### **Driver**

A driver hired by an operator to drive a commercial vehicle shall immediately indicate to the operator, in writing, all details of collisions – and that, as a result of the collision:

- a. No one was injured
- b. No one died
- c. The apparent cost to repair property damage was less than \$2,000

All other collisions must be reported to a peace officer.

#### **Operator**

When a driver tells the operator about a collision, the operator should include this information in the driver's qualification file.

It is recommended that all collisions in which the driver has been involved should be reported to the operator. These include collisions that occur in private vehicles, as well as the operator's vehicles.

Operators should keep records of all collisions, conduct evaluations and take corrective action.

### **4. Disclosure of Violations – Scored in a Facility Audit**

#### **Driver**

Any driver of commercial vehicles should report any and all convictions resulting from the operation of a motor vehicle to the operator. This should be done in writing at the time of the conviction.

## **Operator**

When a driver reports a conviction, the operator should keep the report for the current year and retain reports for four years, if applicable. Operators should review each violation and document all corrective action.

## **5. Driver Abstract – Scored in a Facility Audit**

### **Driver**

Drivers should be required to provide the operator with a current driver abstract, or sign a release form allowing the operator to obtain the abstract.

### **Operator**

The operator should obtain a driving abstract upon hiring a new driver, and at least every year after that. The operator should set up an internal process to make sure that abstracts are obtained.

## **6. Annual Review of Driver Fitness**

### **Operator**

Before hiring a driver and for every year after that, the operator should review the driving abstract and decide whether or not the driver is fit to drive according to company policy. The operator should record the review in the driver qualification file.

A copy of the driver's current medical certificate must also be filed. Alternatively, an operator could satisfy this requirement if the driver's file contained a copy of the employee's valid driver's licence and/or a current copy of the driver's abstract.

The review can range in scope from a formal employee appraisal interview to a dated and signed statement of the driver abstract. The review should include the date and a written confirmation by the operator that the driver is fit to continue driving. This document should be signed by the operator representative who conducted the driver evaluation and by the person who approved the driver's fitness.

## **7. Progressive Discipline**

The operator should have a program of progressive discipline for company personnel who violate hours of service and other regulations. The program must be consistent with federal and provincial legislation.

The policy and the discipline procedure should be outlined, listing the steps up to, and including, termination. For example, this could be a four-step process involving a verbal warning, a written warning, a suspension and termination.

The operator should record each event and be sure that:

- The employees know each step of the policy.
- As each step of the policy is enforced, the employee is notified in writing of the next step.
- If the violation happens again, the employee is notified.
- The policy is enforced in a consistent manner.

## **8. Certificate of Dangerous Goods Training – Scored in a Facility Audit**

### **Driver**

Every driver who transports dangerous goods must possess a valid certificate of training that must be issued by their current employer. In Canada, the certificate of training is valid for a maximum of three years.

### **Operator**

Every employer who issues a certificate of training shall keep a copy of it in the driver's file for a period of at least two years longer than the expiry date of that certificate.

## **Recommended Additional Documentation**

In addition to the required documents outlined previously, the Ministry of Transportation suggests that the operator keep the following information in the driver qualification files:

- Road test.
- Examinations or other supporting documentation used to train and evaluate staff.
- Alcohol and drug-testing records (drug testing is not a requirement for operators in Ontario).

## **Incident Reporting Processes and Procedures**

Consider setting up a committee to investigate all collisions, near misses and incidents in which employees are injured and/or equipment or goods are damaged. This committee may include management and staff.

All collisions, near misses and incidents should be reported and investigated, no matter how small. A near miss can easily result in an injury or a fatality, and should be thoroughly investigated.

In the event of a collision, the operator should have a policy in place for employees to follow, which may include:

- Procedures a driver must follow when involved in a collision (many companies provide an information kit in all vehicles, including a camera).
- Procedures for forwarding collision information as soon as possible to the collision/incident investigation committee for investigation.
- Reporting summary form.
- Emergency contacts.

## **Incident Response Procedures**

The committee may provide recommendations based on established written guidelines regarding preventable and non-preventable collisions. The committee may be able to detect patterns for the collisions/incidents, and make recommendations on how to avoid further mishaps.

Response procedures should also include discussing the collision/incident at the next regularly scheduled safety meeting.

## **Collision Evaluation**

Company collision statistics should be maintained to better understand the causes and address collision prevention. Consider the following factors:

- Day of the week.
- Time of the day.
- Hours driven over a period of time.
- Driver age.
- Driver experience.
- Preventable or non-preventable.
- Location.
- Environmental factors such as weather, road conditions, etc.

## **Substance Abuse Policy**

Substance abuse refers to “continuous or excessive” use of legal substances such as alcohol and prescription drugs, as well as the use of illegal substances. Consider putting a “zero tolerance” clause in your policy for any substance that impairs an employee’s ability to carry out their job responsibilities.

## **Discipline Process**

Using driver input, develop and follow a progressive disciplinary plan. Depending upon the number, severity and preventability of collisions/incidents over a period of time, the disciplinary plan may include a system of warnings, suspension, additional training and termination.

Before any disciplinary action is taken, drivers should have prior knowledge of the disciplinary plan obtained through staff orientation, training or at regularly scheduled safety meetings. All actions taken, including verbal warnings, should be documented and included in the employee file.

## **Compliance with Legislation**

Successful companies complete ongoing checks to ensure that legislation and policies and procedures are being followed. Random checks can be completed prior to monthly/quarterly staff safety meetings. This will give the company the opportunity to rectify problems on a timely basis, reduce collisions and injuries, and minimize expenses.

Regularly select a sample of files for monitoring. Check driver records to ensure accuracy. Check logbooks for violations and accuracy. Be sure that drivers are following policies and procedures such as daily inspections and load security. Check vehicle files to ensure that maintenance is up to date and effective.

Conduct annual reviews of driver and vehicle performance. Discuss your findings with the employees.



# Commercial Vehicle Operators' Safety Manual

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Preventive Maintenance, Record-Keeping and Vehicle Files – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Determine if you need a preventive-maintenance program.
- ✓ Determine your responsibilities regarding your vehicles.
- ✓ Plan for and complete required daily inspections.
- ✓ Identify and plan for all required vehicle inspections.
- ✓ Develop and use inspection schedules and inspection reports.
- ✓ Meet the requirements of the Commercial Vehicle Inspection Program (CVIP).
- ✓ Meet the requirements of driver and vehicle roadside Commercial Vehicle Safety Alliance (CVSA) inspections conducted on drivers and vehicles.
- ✓ Meet the requirement of the Bus Information Tracking System (BITS) for bus operators.
- ✓ Ensure that vehicle records are appropriately completed and kept.

## Truck, Bus and Trailer Maintenance

### Purpose

The purpose of this module is to provide information to operators about the minimum requirements for the maintenance, inspection and component performance standards for trucks, trailers and buses.

### Requirements

Operators of trucks, buses and towed trailers, to which the regulations apply, are required to:

- Establish a written schedule to periodically inspect and maintain vehicles.
- Ensure that inspections and maintenance are carried out in accordance with the written schedule.
- Ensure that vehicles meet the prescribed performance standards at all times while operating on a highway.
- Ensure drivers conduct daily inspections.
- Maintain valid annual or semi-annual inspections on all applicable vehicles.

### Performance Standards

Prescribed Performance Standards for the vehicle are set out in the following *Highway Traffic Act (HTA)* Regulations;

- HTA Regulation 199/07 (Commercial Motor Vehicle Inspections)
- HTA Regulation 611 (Safety Inspections)
- HTA Regulation 612 (School Buses)
- HTA Regulation 587 (Equipment)

### Preventive Maintenance Program

To meet regulatory requirements, a maintenance and inspection program must be established by the operator and recorded in a schedule. A program to periodically inspect and maintain vehicles can be a simple written or electronic document that sets out, for example, a stated time period and/or distance when a vehicle requires its next inspection and/or maintenance activity.

Inspections and maintenance intervals are commonly linked. For example, an inspection is due at 30,000 km or three months, whichever occurs first. Non-safety-related maintenance items such as oil changes and tune-ups can be included in the schedule. An annual or semi-annual safety inspection can also be part of the written schedule.

Each operator must review the regulations to see which requirements apply to them, and should draft their maintenance and inspection program accordingly.

An operator must maintain a copy of their maintenance program at their principal place of business or at another terminal or business address specified by them.

It is the operator's responsibility to ensure that:

- Commercial vehicles are inspected according to all provincial regulations, and are maintained in safe operating condition.
- Employees understand the maintenance program requirements that apply to them.
- The program is fully implemented.
- All vehicle files are maintained as specified by Section 16 of *HTA Regulation 199/07 (Commercial Motor Vehicle Inspections)*.
- The maintenance records required by Section 16 of *HTA Regulation 199/07* are retained for two years, or six months after the vehicle ceases to be used by the operator.
- Processes are in place to monitor the effectiveness of the maintenance program.

## Vehicle Inspections

Commercial motor vehicles are subject to a number of inspections and record-keeping requirements. The next sections of this module outline the requirements, frequency and record-keeping for the following:

1. Daily inspection – *HTA* Regulation 199/07 (Commercial Motor Vehicle Inspections)
2. Annual inspections – *HTA* Regulation 611 (Safety Inspections)
3. Semi-annual inspections (buses, accessible vehicles and school purposes vehicles) – *HTA* Regulation 611 (Safety Inspections)
4. CVSA inspections
5. Safety Standard Certificates – *HTA* Regulation 611 (Safety Inspections)
6. Bus inspections

## Daily Inspections

### Purpose

The purpose of the daily vehicle inspection is to ensure that problems and defects have been identified before the vehicle is operated on the highway. Inspections prevent the operation of a vehicle with problems that are likely to cause or contribute to the severity of an accident.

### Brief Overview of Daily Inspection Program

- Driver conducts an inspection of a vehicle or vehicles before operating them.
- The inspection is conducted with the use of a schedule listing the vehicle components and systems that require inspection.
- Driver completes a report of the inspection.
- The inspection and report are valid for 24 hours.
- Driver carries the inspection schedule and report in the vehicle.
- Driver also records on the report any defects found while en route and at the end of the trip or day.
- Driver reports defects to the operator at the time they are discovered; the operator must repair the defect immediately, or before the next dispatch, and keep records of repair.

### Vehicles That Require Daily Inspection

- **Trucks, mobile equipment vehicles, trailers and converter dollies** that, on their own or in combination, have a total gross weight or registered gross weight exceeding 4,500 kilograms
- **Buses** designed to transport 10 or more passengers, and any trailer towed by one of these vehicles
- **Inter-city bus** commonly known as a motor coach that has,
  - Motive power mounted to the rear of the front axle,
  - Air-ride or torsion bar suspension,
  - A baggage area that is separate from the passenger cabin, and
  - A passenger cabin with reclining seats for passengers.



- **Accessible buses** modified to be used to transport persons with disabilities, if not being used for personal purposes only; and every trailer towed by one of these vehicles
- **School purposes vehicles and buses** operating under contract with a school board or other authority in charge of a school, and being used for the transportation of six or more children or adults with a developmental disability.

## Vehicles Exempt from Daily Inspection

### General Vehicles

- A truck with a combined registered gross weight **and** actual weight of 4,500 kilograms or less, whether towing a trailer or not
- A personal-use pickup truck or bus
- A truck or bus leased for personal use only by an individual for 30 days or less
- A commercial motor vehicle that is being road-tested, for the purposes of repairs, within 30 kilometres of a facility where the vehicle is being repaired by an automotive service technician or a truck and coach technician who hold valid certification under the *Apprenticeship and Certification Act*, 1998, or by an apprentice under that Act
- An empty truck or bus operated under the authority of a dealer plate or service plate
- A historic vehicle (with permit)
- An ambulance, fire vehicle, cardiac-arrest emergency vehicle, hearse, casket wagon and tow truck
- An emergency vehicle with towed trailer while responding to or returning from an emergency
- A truck and towed trailer providing relief from an earthquake, flood, fire, famine, drought, epidemic, pestilence or other disaster by transporting passengers or goods
- A trailer converter dolly that is not carrying a trailer
- A road-building machine
- A bus and towed trailer that is operated by, or on behalf of, a municipality as part of a public transit service, either within the municipality or within 25 km of its boundary

## Recreational Vehicles

- A motor home and pickup truck with the camper installed, including any type of trailer or vehicle towed by the motor home or truck camper
- A truck, regardless of size and weight, that is towing a house trailer being used for personal purposes
- A house trailer being used for personal purposes
- A car tow dolly.

## Farm Vehicles

- A two- or three-axle truck or tractor, not drawing a trailer, that is mainly used to transport primary products of a farm, forest, sea or lake, which are produced or harvested by the driver or the driver's employer (includes farm-plated trucks); primary products including fruit, vegetables, livestock, horses and poultry
- A self-propelled implement of husbandry, farm tractor or any towed farm equipment
- Farm equipment towed by a commercial motor vehicle.

**Inspection Required by Driver or Other Person**

Drivers are not permitted to operate a commercial motor vehicle or bus, or tow a trailer unless the driver or another person has conducted an inspection of the vehicle(s) within the previous 24 hours.

In addition to the initial inspection – whether conducted by the driver or not – the driver is required to monitor the condition of the vehicle(s) for defects while en route.

Other people, such as another driver, maintenance or yard staff, are also permitted to conduct inspections. They must sign the report, and are responsible under the law for the inspection and the information contained in it.

In order for the driver to utilize an inspection done by another individual, the driver must sign the inspection report. The driver may rely on such inspections as proof that the inspection was conducted as required and produce the report for an officer, unless the driver has reason to believe that the inspection and report do not meet the requirements, or the driver is aware or ought to be aware that the vehicle has a defect. If the driver has doubts about the inspection and report, they should complete a new inspection of the vehicle.

**Note:** Only the driver is referenced as the inspection person throughout the remainder of this document.

**Inspection Procedures:**

Drivers may choose an inspection procedure (circle procedure or walk-around) that best suits the vehicle and its location. You may inspect vehicle components in any order that you choose, as long as each item on the inspection schedule is inspected. The defects that are discovered must be recorded on the inspection report, and the operator notified about the defects. Drivers are also required to carry and produce an inspection schedule based on the vehicle, as well as a corresponding valid inspection report.

## Daily Inspection Schedules

### Application of Inspection Schedule

*Sample inspection schedules are available in Appendix A of this module.*

HTA Regulation 199/07 has six inspections schedules; drivers are to use the schedule that is based on the type of commercial motor vehicle being operated. The schedules outline the inspection criteria, and identify if a defect is “minor” or “major.” The way a driver handles a vehicle defect will differ, depending on whether it is a minor defect or a major defect.

If a driver finds no defect on the vehicle, as defined in the inspection schedule, then “no defect” is recorded, and the inspection is valid for 24 hours.

If a driver finds a minor defect on the vehicle, as defined in the inspection schedule, the defect must be recorded and reported to the operator as soon as possible. The operator is required to repair any defects that do not meet the performance standards. The inspection is valid for 24 hours.

If a driver finds a major defect on the vehicle, as defined in the inspection schedule, the vehicle cannot be operated. The driver must record the defect, report it to the operator immediately, and the vehicle must be repaired prior to operation.

### Ontario’s Six Daily Inspection Schedules

- Schedule 1 is used to inspect a truck, tractor and towed trailer. A converter dolly is inspected as part of the trailer it is carrying. The dolly must be inspected again when carrying a different trailer.
- Schedule 2 is used to inspect a bus (other than a school purposes bus), inter-city bus, accessible bus and towed trailer. Schedule 2 continues to apply when one of these vehicles is being used for school charter trips. Schedule 2 is also used to inspect any trailer towed by a bus, school bus, school purposes bus or school purposes vehicle.
- An inter-city bus may be inspected using Schedule 2 only, or may be inspected using Schedules 3 and 4 in combination with each other.
- Schedule 5 is used to inspect a yellow school bus, school purposes bus and school purposes accessible bus.
  - This applies even when a school bus is used for non-school purposes (for example, carrying adults or children to festivals, sporting events, church functions and so on).
  - A bus is considered to be for school purposes if it has been operated by the current operator, under contract with a school board or other authority in

charge of a school, for school service or school charters.

- Schedule 6 is used to inspect a school purposes vehicle (van or station wagon). A daily inspection is required only when one of these vehicles is operating under contract with a school board or other authority in charge of a school, and is being used for the transportation of six or more children, six or more adults with a developmental disability, or six or more persons from both categories.

### **Under-Vehicle Inspections (Schedule 4)**

If an inter-city bus is inspected using Schedule 3, then a Schedule 4 under-vehicle inspection must be completed every 12,000 km or 30 days, whichever comes last. These inspections are conducted by technicians who hold a valid certificate of qualification as a truck and coach technician.

The inspection requires a detailed examination of the under-vehicle components and systems of the bus. Schedule 4 inspections are conducted while the bus is positioned over a pit, or raised in a manner that provides adequate access to all of the applicable under-vehicle components.

Technicians are required to sign the Schedule 4 inspection report certifying that the components and systems inspected under Schedule 4 meet the prescribed standards on the date of inspection.

### **Carry and Produce Schedules**

Drivers are required to carry and produce the inspection schedule upon request by an officer.

The schedule and inspection report may be combined in the same document. If more than one schedule is used for the commercial vehicle, then all relevant schedules must be carried by the driver. (For example, a motor coach towing a trailer may have schedules 3 and 4 for the inter-city bus and Schedule 2 for the trailer.)

### **Where to Get Inspection Schedules**

Operators are required to supply drivers with a copy of the inspection schedule.

Regulated schedules are provided in the appendix of this module, and may be copied or reproduced without consent of the ministry.

Schedules 1, 2, 3 and 4 of National Safety Code Standard 13, published by the Canadian Council of Transport Administrators (CCMTA), is also acceptable in Ontario, including when produced by the operator of an Ontario-plated commercial motor vehicle. School buses and school purposes vehicles must be inspected using Schedules 5 and 6, respectively, of HTA Regulation 199/07. CCMTA Schedules can be found on [CCMTA's website](#).

Operators may add additional sections that contain more inspection components and systems to a schedule. Inspection items within sections that have been added by the operator, and are not part of the regulated inspection items, are not required to be inspected, recorded or reported as defects. Operators may require drivers to inspect, record and report these added defects or conditions.

If a vehicle is not fitted with a system or component (for example, air brakes), then the entire section can be deleted. Section numbers may be deleted or re-numbered. However, individually regulated inspection items within a section, such as "audible air leak" cannot be removed unless the entire section is deleted, and the vehicle does not have air brakes. Also, individually regulated inspection items cannot be moved between minor and major columns within a schedule, or be reworded.

Operators are permitted to regroup the minor and major defect columns, provided the regrouping does not confuse the reader. Operators are free to add defect codes within the columns of a schedule. A code number or letter is placed beside a component or system on a schedule. When a defect is found, the driver can enter the defect code on the inspection report, instead of handwriting the details. When defect codes are added to a schedule and used by a driver, a coded schedule must be presented to the enforcement officer.

**See the appendices at the end of this module for a sample of acceptable inspection schedules.**

## Daily Inspection Reports

*Sample inspection reports are available in Appendix B of this module.*

Inspection reports serve as communication between drivers, the operator and the operator's maintenance department. Reports are used to verify inspections, record defects, report defects and may be used to verify repairs. Reports are completed immediately following an inspection.

### Types of Daily Inspection Reports

- Single-day sheet report – a report can consist of a single sheet of paper containing one day's information. This type of report can be located at the back of an hours of service logbook or in a snap set where one report is removed for each day and so on.
- Multi-day report book – this contains lines for each day that the vehicle is inspected. The book is assigned to one vehicle, and may remain in the vehicle until the book is full. The basic vehicle information is written once on the front cover or elsewhere within the book. The book may also contain the vehicle's inspection schedule.

The information provided about inspection reports applies to both types of reports, unless the report type is specifically named.

### Completing Daily Inspection Reports

The driver is required to fill out and sign a report upon completion of the inspection.

Bus drivers are required to fill out and sign a report upon completion of the inspection, regardless of the distance to be travelled and whether or not passengers are carried.

If the driver did not conduct the original inspection, the driver and each subsequent driver must sign the report. Reports that are used by more than one driver require additional lines for subsequent signatures.

Any number of trailers may be inspected and added to a single report if the report contains additional lines for additional trailers.

All information required on a report must be accurate and complete.

## **Validity Period of Daily Inspection Reports**

- A report certifying schedules 1, 2, 3, 5 or 6 inspections are valid for 24 hours from the time of inspection.
- A Schedule 3 inspection must be accompanied by a Schedule 4 under-vehicle inspection report.
  - A report completed and certified by a technician for a Schedule 4 under-vehicle inspection is valid to the end of the 30th day after the day of inspection, or for 12,000 km, whichever comes last.

## **Carry and Produce Daily Inspection Reports**

Drivers must carry and produce valid inspection reports upon request of an officer.

- Drivers who are towing a trailer must record the information for the power unit and the trailer on one report, or carry two inspection reports – one for the vehicle and one for the trailer.
- The driver of an inter-city bus that has been inspected under Schedule 3, combined with Schedule 4, must carry and produce a report for both inspections. Completed Schedule 4 inspection reports are supplied by the operator who receives the report from the technician.
- When an inter-city bus has been inspected under Schedule 3, combined with Schedule 4, but the Schedule 4 under-vehicle inspection has expired and a new Schedule 4 inspection cannot be completed, the bus must be inspected under Schedule 2. In this case, a copy of Schedule 2 must be carried and produced.

## **Submitting Daily Inspection Reports to the Operator**

### **Single Daily Inspection Reports**

Expired reports must be forwarded to the operator as soon as possible, but no later than 20 days after the date of inspection.

Reports must be forwarded to the operator's principal place of business, or to a terminal or business address specified by the operator.

### **Daily Inspection Report Books**

Report books that are full, or have passed the operator's pre-determined end-date or use period, must be forwarded to the operator's principal place of business, or to a terminal or business address specified by the operator.



**Note:** If the daily inspection reports are contained in a book that is kept in the commercial motor vehicle, and the operator has regular access to the vehicle, the reports are deemed to be submitted when they are in the truck, bus or school purposes vehicle, and do not have to be forwarded to the office within the 20-day timeframe.

### **Where to Get Daily Inspection Reports**

- Operators are required to supply drivers with the appropriate reports

### **Handing Over Valid Daily Inspection Reports to Another Driver**

- A driver may hand over a valid original copy of a daily inspection report to another driver who is driving for the same operator. The second driver is obligated to submit the report to the operator.
- A driver may hand over a duplicate copy of the original inspection report or a hand-written reproduction to a driver working for a different operator. In this case, each driver must submit a report to their respective operators.
- There is no legal obligation under the *HTA* for a driver to hand over a report to another driver, whether or not they drive for the same operator. However, there may be a contractual or an employment-law obligation to pass along a report to another driver.
- A driver who receives a valid daily or under-vehicle report for a vehicle that was inspected by another person may rely on the report as proof that the inspection was conducted as required, unless the driver has reason to believe otherwise. The report is valid, provided the current driver has signed the inspection report.

### **Contents of Daily Inspection Reports**

Both single reports and report books must contain the following minimum line items:

- Licence-plate number and plate jurisdiction of the vehicle
- Operator's name
- Date and time of the inspection
- City, town, village or highway location where the inspection was conducted
- Printed name of the person who conducted the inspection
- Odometer reading of the commercial motor vehicle
- List of major and minor defects found during the inspection, if any

- A statement that no major or minor defects were found, if none
- Major and minor defects found while en route
- A statement, signed by the person who conducted the inspection, that the vehicle was inspected in accordance with this regulation
- Signature of any driver of the vehicle who did not conduct the initial inspection

Line-item language may be altered to a "like meaning." Any altered language must continue to indicate what the completed information means. Operators are free to add and re-arrange line items.

The Ministry of Transportation does not approve blank inspection reports for operators. The operator is required to purchase or create a report that complies with the requirements of Section 7 of Regulation 199/07, Daily Inspection Report.

Operators can combine daily inspection reports with schedules, and they can be on the same document. Single reports may also be combined with hours of service logbooks, as long as all line items for both requirements are included. Here are two examples:

#### Example 1

- The daily inspection report requires a line item for the odometer reading. The logbook requires the driver to record the odometer readings at the start and end of the shift/trip. Also, if the driver uses the vehicle for personal transportation to a place of lodging or so on during the trip, there is a requirement to enter the start and finish odometer readings for this personal distance travelled.
- Therefore, a combined daily report and logbook may require five different odometer line items representing five readings, if the daily inspection were conducted at a different distance from when the driver started the trip and the vehicle was used for personal purposes during the trip.
- If a vehicle is never used for personal purposes during a trip, it is not necessary to have these odometer line items on either a logbook report or a combined daily report.

#### Example 2

If the vehicle is always inspected at the same starting location as the driver's trip or shift, a check box may be used to indicate that the odometer reading applies to the inspection reading, as well as the driver's start reading.

- Odometer reading, start of driver's day and at time of inspection (enter value)

## Sample Daily Inspection Reports

Inspection-report formats and layouts are not prescribed by regulation. The regulation sets out a minimum of information to be recorded on a report.

Reports may, at the option of the operator:

- Contain an inspection checklist and additional information
- Single reports may be printed at the back of hours of service logbooks
- Information may be permanently printed on the reports when it does not change (for example, operator's name, plate number and so on)
- Reports may also be printed with the vehicle's inspection schedule(s).
- Reports other than report books may be produced in carbon or carbonless sets that automatically create extra copies when the top page is completed. Some operators may prefer to use multi-copied reports for internal distribution purposes. Also, valid legible copies of these reports may be passed on to the next driver of a vehicle, while the person who inspected the vehicle retains the original.

Many variations of a report are possible, depending on the operation of the vehicles and inspection personnel. Operators are free to create a report that best meets the needs of their operation.

In the following samples, "Signature of each driver who was not the inspection person" may be removed if the vehicle is inspected by the driver and not driven by a second driver.

See the appendices at the end of this module for samples.

## Certification of Repairs

Ontario operators **may** include a "certification of repairs" section on inspection reports to track defects and repairs.

When a report lists a defect, and the defect was repaired without the operator creating a separate repair order, the repair and any parts used must be noted on the report. In this case, the report becomes a maintenance record and must be retained for two years.

This applies whether or not the report contains a separate "certification of repairs" section.

Samples may be found in the appendices at the end of this module.

## Daily Inspection Report Books Kept in the Vehicle

Report books kept in the vehicle may only be used for a vehicle that returns at the end of the day to a location where the operator has access to the vehicle and the book. The operator must be able to produce the book upon an officer's request. Also, defects written in the book must be reported to the operator verbally, by telephone or other means when the book is not handed into the operator.

A report book must be carried, and produced upon the request of an officer. If the inspection schedule is not contained within the book, the driver is required to carry and produce the applicable schedule.

The following information **must** be printed somewhere on or in the book;

- Operator's name
- Licence-plate number
- Plate jurisdiction of the vehicle

Sample **optional** information items that may be printed somewhere on or in the book:

- Unit number
- Vehicle identification number
- Make of vehicle
- Year of vehicle
- Period covered

See the appendices at the back of this module for samples.

## Vehicle Defects

### Recording Defects

The driver is required to record a defect on the report immediately after the initial inspection, upon discovery of a defect while travelling (at the first opportunity when vehicle is stopped and parked safely off the highway), or when discovered at the end of a trip or day.

### Reporting Defects

For the purposes of reporting defects, the operator may designate an employee to receive them.

Minor and major defects, which are listed in a schedule, must be reported to the operator immediately upon discovery by the driver or inspection person.

Depending upon the driver's situation, reporting to the operator may be done in person, by phone, via written report or by electronic means.

### Driving with Defects

A driver may continue to drive with a minor defect that is listed on an inspection schedule if the defect has been entered immediately on the daily inspection report and reported to the operator.

It is a defence for a driver, if charged with a defect under another part of the *HTA*, when that defect is also listed on the vehicle's inspection schedule. This defence applies only if the driver has found, recorded and reported the defect to the operator prior to an examination of the vehicle by an officer.

**It is important to note that, while the driver has a defence for driving with a minor defect listed on a schedule, the operator can be charged (e.g. the driver repeatedly notes the defect, but repairs are not completed by the operator).**

## **Use of Electronic Devices and Documents**

Daily inspection reports and under-vehicle reports, results of an inspection, and inspection schedules may be kept in an electronic recording device.

When requested by an officer, the driver is required to produce, at the driver's option, either:

- An electronic display of the report or schedule that is readable from outside the vehicle by the officer
- A printed copy of the report or schedule signed by the driver after printing
- A handwritten copy of the report or schedule signed by the driver

### **Note:**

- The electronic display is not required to have a signature.
- An officer may, at his or her discretion, enter a vehicle to read the screen of an in-cab, permanently attached device.

Vehicle maintenance, repair records and documents may also be kept in electronic format, provided that the operator or a person designated by the operator prints and signs a copy of a report or document when requested by an officer.

## **Daily Inspection Report Retention Period and Location**

Inspection reports and notices issued by an officer are to be stored at the operator's principal place of business, or at a terminal or business address specified by the operator.

Daily inspection reports are to be kept for at least six months. However, if it is also used to record a repair or work done on the vehicle, it is deemed to be a “maintenance report,” and must be retained for at least two years, or six months after the vehicle ceases to be the operator's responsibility.

## **Out-of-Province and US Vehicles**

### **Out-of-Province Canadian Vehicles**

Vehicles plated in a province or territory other than Ontario may operate in Ontario if the vehicle(s) were inspected and an inspection report completed, in accordance with the daily inspection requirements of:

- The province or territory in which the vehicle is base plated
- National Safety Code Standard 13
- Ontario *HTA* Regulation 199/07, as detailed in this module

This applies regardless of the distance to be travelled in Ontario, and whether or not inspection rules apply or the vehicle is exempt in its home province or territory.

This also applies to out-of-province plated vehicles that are driven by Ontario licensed drivers who drive the vehicle only within Ontario.

### **US Trucks, Trailers and Buses Operating in Ontario**

Trucks or buses bearing US plates may operate in Ontario if the vehicle(s) were inspected, and a daily inspection report completed, in accordance with the daily inspection requirements of the US, or any province including Ontario, or in accordance with National Safety Code Standard 13, as of May 2008, which is published by the Canadian Council of Motor Transport Administrators.

Where a daily inspection was completed in accordance with US requirements, the driver must carry and produce a daily inspection report that is not more than 24 hours old.

Where a driver does not have access to the vehicle's daily inspection report, an inspection must be conducted in accordance with Ontario rules. The driver must carry a US report that complies with US requirements and that is not more than 24 hours old, or complete an inspection report that complies with *HTA* Regulation 199/07 in Ontario.

**NOTE:** In the US, drivers are not required to do a trip inspection report if no defects are found during an inspection. This does not allow them to come to Ontario without a trip inspection report. If no report is completed in the US, then a driver must complete a report in compliance with Ontario regulations, NSC Standard 13 or another province in order to be in compliance in Ontario.

### **Ontario Trucks and Trailers and Buses Travelling in the US**

Ontario daily inspections and daily inspection reports are acceptable in the US

## **Periodic Mandatory Commercial Motor Vehicle Inspection (PMVI)**

Periodic inspections are required for commercial motor vehicles, trailers and converter dollies, in order to reduce accidents due to mechanical defects and improve highway safety throughout Canada. The annual and semi-annual inspection requirements are the minimum under the law. Operators may find that, in order to properly maintain their vehicle's on-road standards, additional inspections and maintenance are required.

### **Brief Overview of the Periodic Commercial Motor Vehicle Inspections**

- In Ontario, annual, semi-annual and safety-standards certificate inspections must be completed by a licensed motor vehicle inspection mechanic at an MTO-licensed inspection station.
- Trucks, mobile equipment vehicles, trailers and converter dollies require one inspection per year; an annual inspection is valid for 12 months.
- Buses, school purposes vehicles used for transporting six or more persons, and accessible vehicles require two inspections per year; a semi-annual inspection is valid for six months.
- If a vehicle meets all of the requirements of an annual or semi-annual inspection, a corresponding sticker is applied to the vehicle, and a certificate and report is issued by the inspecting station.
- Safety standards certificates are required for: registering a rebuilt motor vehicle; transferring a used motor vehicle to a new owner as fit; registering a motor vehicle in Ontario that was previously registered in another province or country; and changing the status of a vehicle from unfit to fit.
- If a vehicle meets all of the requirements of a safety-standards certificate Inspection, the certificate is issued, and the vehicle is deemed fit.

### **Out-of-Province Considerations**

The legislation regarding periodic mandatory inspections varies between jurisdictions. Ontario's inspections are accepted in other jurisdictions, and Ontario accepts inspections from other jurisdictions – provided they are recognized as meeting a similar standard.

However, the length of time that the inspection is valid varies between jurisdictions. Operators should check with the requirements of all the jurisdictions in which they intend to operate prior to doing business there.



## Vehicles that are Subject to Periodic Mandatory Inspections

### Annual Inspection:

- **Trucks, mobile equipment vehicles, trailers and converter dollies** alone, or in combination, with a total gross weight, registered gross weight or manufacturer's GVWR exceeding 4,500 kilograms

"**Truck**" includes, but is not limited to, truck tractors, straight trucks, pickup trucks, curb side/cube vans, trade vans/panel trucks.

"**Trailer**" includes, but is not limited to, boat, snowmobile, livestock and general-purpose utility trailers. "Trailer" does not include devices such as tar pots, portable welders, cement mixers, compressors and farm implements such as wagons and so on.

"**Mobile equipment Vehicle**" means: (1) a mobile crane that is not built on a truck chassis, but not an off-road mobile crane, (2) an excavator that is not built on a truck chassis, but not an off-road excavator, (3) a street sweeper that is not built on a truck chassis, but not a low-speed street sweeper.

### Semi-Annual Inspection:

- **Buses** designed to transport 10 or more passengers, excluding those with a manufacturer's gross vehicle weight rating of 4,500 kg or less, used exclusively for personal use
- **Accessible vehicles** modified for the purpose of transporting people with disabilities, excluding those used only for personal purposes
- **School purposes vehicles**, operating under contract with a school board or other authority in charge of a school, being used for the transportation of six or more children or adults with a developmental disability

"**Bus**" includes, but is not limited to, any vehicle designed to transport 10 or more passengers, excluding the driver (for example, passenger van, limousine, motor coach, school bus and so on).

"**Accessible vehicle**" includes, but is not limited to, any vehicle that has been modified for transporting people with disabilities, whether or not the vehicle is also used for transporting those without disabilities (for example, a minivan, passenger van or taxi that has been modified for accessibility).

"**School purposes vehicle**" includes, but is not limited to, any vehicle operating under contract with a school board or other authority in charge of a school for the transportation of six or more children or adults with a developmental disability.

## Vehicles That Do Not Require Annual or Semi-Annual Inspections

1. A motor vehicle commonly known as a recreational vehicle or a motor home, as long as it is not:
  - Carrying commercial cargo or tools or equipment of a type normally used for commercial purposes
  - Carrying animals or non-commercial tools, equipment or vehicles that occupy one-half or more of its floor space
2. A house trailer, except for a house trailer that is:
  - Owned or leased by an employer to house the employer's employee
  - Carrying commercial cargo, tools or equipment of a type normally used for commercial purposes
  - Carrying animals or non-commercial tools, equipment or vehicles that occupy one-half or more of its floor space

**Note:** A "house trailer" includes a cabin trailer, collapsible cabin trailer, tent trailer and camping trailer.
3. Devices such as tar pots, portable welders, cement mixers, compressors and farm implements, such as wagons.
4. A bus with a GVWR of 4,500 kilograms or less used exclusively for personal purposes.
5. An empty commercial vehicle operated by a manufacturer or vehicle dealer who has obtained a "special permit" for a 10-day period, or has a dealer or service plate as per the requirements under the *HTA* Regulation 628 (Vehicle Permits).
6. Any unladen commercial motor vehicle or trailer operated under the authority of a service plate.
7. Any laden commercial motor vehicle or trailer operated under the authority of a service plate being transported to an impound facility.
8. A personal use pickup truck and any trailer drawn by the pickup truck if:
  - The pickup truck has a manufacturer's Gross Vehicle Weight Rating of 6,500 kg or less; and
  - The pickup truck is fitted with either the original, unmodified box that was installed by the manufacturer or an unmodified replacement box that duplicates

the one originally installed by the manufacturer; and

- The pickup truck and trailer are being used for personal use without compensation; and
- The pickup truck and trailer are not carrying commercial tools or cargo, or equipment of a type normally used for commercial purposes

## Inspection Criteria

Ontario – along with most Canadian jurisdictions – has adopted the National Safety Code 11, Part B, Periodic Commercial Motor Vehicle Inspections (NSC 11B), as the inspection criteria for annual, semi-annual and safety standards certificate inspections for commercial vehicles, school purposes vehicles and accessible vehicles.

*HTA Regulation 611 (Safety Inspections)* contains the requirements for annual, semi-annual and safety standard certificates, along with modifications to the NSC 11B.

Each page of the National Standard is divided into two sections: the left side of the page lists the item and method of inspection; and the right side lists the corresponding rejection (pass/fail) criteria. Each part is organized into sections of the vehicle:

1. Power Train
2. Suspension
3. Hydraulic Brakes
- 3a. Air Brakes
4. Steering
5. Instruments and Auxiliary Equipment
6. Lamps
7. Electrical System
8. Body
9. Tires and Wheels
10. Couplers and Hitches

The National Standard identifies "hazardous conditions" for each section. Hazardous conditions shown in the National Standard are more serious vehicle conditions. In some provinces, inspection stations are authorized to take certain action to prevent the

vehicle from returning to service until such conditions are repaired. These conditions have no unique status in Ontario.

A copy of the National Standard can be downloaded from the [CCMTA website](#) (Standard 11 Part B “Periodic Commercial Motor Vehicle Inspections”)

## Ontario's Modifications to the National Standard:

HTA Regulation 611 (Safety Inspections) Schedule 3 lists the modifications to the National Standard that must be applied in Ontario.


While the province has adopted NSC 11B 2015 in almost its entirety, there are four areas where the provincial rule deviates from the national standard:

1. The limitations on window tinting will only apply to vehicles manufactured on or after July 1, 2011 whereas the national standard has them applying retroactively.
2. The limitations on the size of an external sun visor will not apply to any vehicles in Ontario.
3. ABS requirements only apply to vehicles manufactured on or after April 1, 2000.
4. Limited Brake Inspections:
  - A limited inspection of a drum brake is an inspection through inspection holes and involves no measurement of the shoe lining
  - A limited inspection of a disc brake involves no measurement of a rotor or brake pad

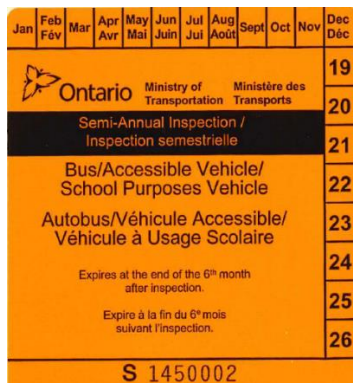
## Use and Application of PMVI Inspection Stickers

For trucks, mobile equipment vehicles, trailers and converter dollies:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
											19
											20
											21
											22
											23
											24
											25
											26


**Ontario** Ministry of Transportation / Ministère des Transports  
 Annual Inspection / Inspection Annuelle  
 Commercial/Trailer  
 Commercial/Remorque  
 Expires at the end of the 12<sup>th</sup> month after inspection.  
 Expire à la fin du 12<sup>e</sup> mois suivant l'inspection.  
 H 9950001

For buses, accessible vehicles and school purposes vehicles:



Once the vehicle has passed inspection at a Motor Vehicle Inspection Station, the corresponding sticker must be applied to the vehicle to identify its successful completion and the expiry date. The inspection station must also provide inspection certificates and reports. The process is outlined below based on vehicle type.

### Truck, Mobile Equipment Vehicle, Trailer and Converter Dolly

- Annual inspection must be completed as per the requirements in NSC 11B and *HTA* Regulation 611.
- A yellow annual inspection sticker is applied to the lower **left-hand** side of the windshield, or a conspicuous position on the left side of the truck cab, indicating the month and year the inspection was completed.
- All previous inspection stickers are covered or removed.
- The inspection is valid for 12 months.
- MVIS licensee must provide the owner/operator with a copy of the annual inspection certificate and the annual inspection report (see Record-Keeping for more details).

### Buses, Accessible Vehicles and School Purposes Vehicles

- Semi-annual inspections must be completed as per the requirements in NSC 11B and *HTA* Regulation 611.
- An orange semi-annual inspection sticker is applied to the lower **right hand** corner of the windshield, on a fixed side window as close as practicable to the front of the vehicle, or a to a conspicuous position on the right side of the vehicle body close to the front of the vehicle.
- All previous inspection stickers must be covered or removed.

- The semi-annual inspection sticker is valid for six months.
- Motor Vehicle Inspection Station (MVIS) licensee must provide the operator with a copy of the semi-annual inspection certificate and the semi-annual inspection report (see Record-Keeping for more details).

## PMVI Record-Keeping

The following records are to be kept for a period of one year after the date of inspection for Motor Vehicle Inspection Stations, and two years after the date of inspection for the operator:

1. Annual and semi-annual inspection certificates are produced in triplicate: one copy is to be kept with the vehicle; one copy for the vehicle file/operator; and one copy for the inspection station.
2. Inspection Record – required for safety-standards certificates. One copy is to be kept by the MVIS; these reports must identify the vehicle inspected, a list of defects, recommended repairs and actual repairs.
3. An Annual Inspection Report or Semi-Annual Inspection Report is required for annual and semi-annual inspections. Two copies are required: one to be kept by the MVIS; and one is provided to the owner/operator of the vehicle. These reports must contain:
  - Signature of mechanic and licensee
  - Date of inspection
  - Vehicle identification number
  - Annual or semi-annual inspection number
  - Information and measurements as required by the National Standard
  - List of defects, recommended repairs and actual repairs
4. If applicable, there must be the proof-of-brake inspection document provided by the vehicle owner/operator confirming that an inspection has been completed by a MVIS-licensed mechanic within the timeline proscribed in the standard based on vehicle type and brake type. This is only required if the Limited Brake Inspection is completed as per Section 3 of NSC 11B.

Licensees may create their own Inspection Report, provided all of the requirements outlined in *HTA Regulation 601* are met.

Inspection reports must be retained by a MVIS for a period of one year after the date of inspection; MTO accepts paper or electronic versions of the reports.

## Other Vehicle Inspections

### **Commercial Vehicle Safety Alliance (CVSA) Inspections**

CVSA inspections are conducted by CVSA-certified MTO inspectors on vehicles and drivers at roadside or at the operator's premises. These inspections may also be performed by members of the OPP, city and municipal law-enforcement personnel who are certified as CVSA inspectors, and by designated staff from MTO's Commercial Safety and Compliance Branch.

The inspections are conducted in accordance with the criteria outlined by the CVSA on the roadside, or by arrangement with the operator at theirs or other designated premises. Some inspections are initiated by CVSA inspectors in response to complaints about the condition of the operator's vehicle or vehicles. Bus inspections are arranged as part of the ministry's Bus Information Tracking System program. Operators are encouraged to take a proactive approach toward vehicle maintenance. Remember that CVSA inspection reports can be used to gauge the effectiveness of the operator's preventive-maintenance program.

### **Levels of Inspection**

There are five levels of inspection used in Ontario:

Level 1 – Complete vehicle inspection with the driver

Level 2 – Driver and vehicle walk-around

Level 3 – Driver-only inspection

Level 4 – Special inspection of one or more components

Level 5 – Complete vehicle inspection without a driver (usually completed at the operator's shop or yard)

When there are no violations, the vehicle "passes inspection." When a vehicle receives a "pass" in a Level 1 or Level 5 inspection, a CVSA decal is applied.

This decal indicates that the vehicle passed inspection, and is valid for the current month and the following two months. During this time, further CVSA inspections are not typically required, unless there is an observed safety concern.

Some defects will result in a violation that requires attention. The driver is given a copy of the inspection report and is required to submit the report to the operator. The vehicle must be repaired prior to its next dispatch. The operator may be required to send repair



verification to the officer within a specified time period.

When serious defects are found, the vehicle and/or the driver will be placed out of service. The vehicle and/or the driver will not be allowed back on the road until the out-of-service items have been addressed adequately. If repairs can be carried out on-site, the vehicle may be re-inspected and, if in compliance, allowed back in service.

If on-site repairs are not possible, the vehicle cannot be driven but may be towed or transported to a repair site. Licence plates may be removed when vehicles are in this condition. In any case, the vehicle must be repaired as required. The operator may be required to have a complete safety standards certificate inspection conducted to obtain new plates or the operator may be required to report back to the inspecting officer confirming that the repair has been done as directed within the specified time period.

An officer may prohibit a driver from operating a commercial motor vehicle for a variety of reasons, including exceeding the hours of service, as specified by federal or provincial legislation. The driver may proceed after the necessary rest periods have been met.

Copies of CVSA inspection reports must be kept in the office vehicle file for a period of two years.

Specific details on the CVSA inspection program and its out-of-service criteria may be obtained from:

Commercial Vehicle Safety Alliance  
6303 Ivy Lane, Suite 310  
Greenbelt, MD 20770-6319  
Website: [www.cvsa.org](http://www.cvsa.org)

## **Safety Standards Certificates**

Safety standards certificates are required when:

- registering a rebuilt motor vehicle
- transferring a used motor vehicle to a new owner as fit
- registering a motor vehicle in Ontario that was previously registered in another province or country
- changing the status of a vehicle from unfit to fit

The National Safety Code Standard 11B inspection criteria will be used for trucks, trailers, buses, accessible vehicles and school purposes vehicles as described previously. Vehicles that do not meet these definitions are inspected as per schedules 1 and 2 in *HTA Regulation 611 (Safety Inspections)*.

## Bus Inspections

Buses are subject to on-site inspections completed by MTO enforcement officers. These inspections take place at the origin/destination, or at bus terminals, to ensure that the vehicles are mechanically fit and that the bus operator has met the legislated obligations, such as semi-annual inspections. These inspections are scheduled using a risk-based approach considering factors such as age, size of the fleet and past safety performance.

## Vehicle Record-Keeping

### Records to Be Retained

Operators are required to keep the following records for each truck, mobile equipment vehicle, bus, accessible vehicle, school purposes vehicle, towed trailer and converter dolly that is subject to the requirements outlined previously:

- Identification records for the vehicle, including
  - The vehicle's unit number, if any
  - The vehicle's year and make
  - The vehicle's vehicle identification number
  - If the vehicle is not owned by the operator, the name of the person who supplies it, and the first and last dates when the vehicle was operated by the current operator
- A record of the inspections and maintenance of, and repairs to, the vehicle, including
  - The nature of the inspections, maintenance and repairs
  - The name of the person who conducted each inspection and performed each maintenance or repair
  - If an inspection, maintenance or repair were performed by someone other than the operator or a person employed by the operator, the invoice or other record provided by that person who performed it
  - If a part were purchased and used in maintenance or in a repair, the invoice or receipt for the part (see note)
  - If the vehicle has an odometer, the odometer reading of the vehicle at the end of the inspection, maintenance or repair

**Note:**

- Invoices and receipts for the purchase of bulk parts must be maintained until the inventory has been depleted, or at least two years has passed, whichever occurs last.
  - Parts from all purchases, including bulk purchases, must be inventoried out on repair documents.
  - It is not a requirement that a repair document shows an invoice or receipt number.
  - It is not necessary to keep invoices within maintenance files. Invoices may be maintained within accounts payable, provided the operator can supply the invoices to an auditor at time of an audit.
- The types and frequency must be shown under the operator's system of periodic inspections and maintenance.
- A record must be kept of any axle or suspension modifications of the vehicle that affect the manufacturer's GVWR or gross axle-weight rating.
- Copies must be retained of safety-standards certificates, annual inspection certificates and semi-annual inspection certificates issued for the vehicle, as well as copies of equivalent documents from other jurisdictions.
- Copies must also be kept of inspection notices, reports and appearance notices issued by an enforcement officer or government official of another jurisdiction.

**Retention Period for Records**

When a report lists a defect that was repaired without the operator creating a separate repair order, the repair and any parts used must be noted in the report. In this case, the report becomes a maintenance record, and must be retained for two years.

This applies whether or not the report contains a separate "certification of repairs" section.

**Retention Location for Records**

Records are kept at the operator's principal place of business, at another terminal, or at the business address of the operator.

Where a record or document is in electronic format that would allow a printed copy to be generated, it may be stored at any location, as long as it can be accessed readily by the operator from the principal place of business.

## **Electronic Records**

Any record or document that is required to be created, kept or surrendered may be done so in electronic format. An electronic record or document does not require a signature.

Operators who keep records and documents in electronic format must be capable of printing a copy.

## **Internal Evaluation of an Operator's Preventive Maintenance Program**

It is recommended that the preventive maintenance program be evaluated periodically by the operator to ensure that it is effective and that vehicles are kept in safe operating condition at all times. Several sources of information can be used to measure the effectiveness of the program.

Results of CVSA inspections measure the effectiveness of daily inspections. Analysis of CVSA reports, annual inspection reports and carrier profiles may identify the source of problems, such as the quality of internal inspections, mechanical work and driver habits.

Some steps may then be taken to fix the source of these problems, by making changes to the preventive maintenance program, providing additional training, more detailed monitoring and/or taking disciplinary action. The result will be fewer collisions and less risk to the driver and the public. Operators will also save money.

The operator's CVOR Level II Carrier Abstract, which lists all violations, convictions, CVSA inspections and collisions, can be obtained from the Ontario Ministry of Transportation.

## List of Appendices

1. Schedule 1 of Regulation 199/07 (truck, tractors and trailers)
2. Schedule 2 of Regulation 199/07 (buses and trailers drawn by buses)
3. Schedule 3 of Regulation 199/07 (motor coaches)
4. Schedule 4 of Regulation 199/07 (under vehicle inspection of motor coaches)
5. Schedule 5 of Regulation 199/07 (school purposes buses)
6. Schedule 6 of Regulation 199/07 (school purposes vehicles)
7. Samples of single-day reports and multi-day report books
8. Sample under-vehicle inspection report
9. Sample of certificate of repairs

**Appendix A – Daily Inspection Schedules 1 to 6****Copy of Regulated Inspection Schedules, Three Column Format:**

The following Schedules are directly from the Regulation and have not been modified.

Please note that section 19 of Part VI of Regulation 199/07 provides “notes to the schedules”. It is not a requirement that these “notes to the schedules” be included with or attached to the schedules. Numbers within brackets, i.e. (1), (12) etc. found within the schedules are a reference to the “notes to the schedules” and are not required to be in the schedules.

**Schedule 1,**
**Daily inspection of trucks, tractors and trailers**

Systems and Components	Minor Defects	Major Defects
Part 1. Air Brake System	a) <u>audible</u> air leak. b) <u>slow</u> air pressure build-up rate.	a) pushrod stroke of any brake exceeds the adjustment limit.(1) b) air loss rate exceeds prescribed limit.(2) c) <u>inoperative</u> towing vehicle (tractor) protection system. d) <u>low</u> air warning system fails or system is activated. e) <u>inoperative</u> service, parking or emergency brake.
Part 2. Cab	a) occupant compartment door fails to open.	a) Any cab or sleeper door fails to close securely.
Part 3. Cargo Securement	a) insecure or improper load covering.	a) insecure cargo. b) absence, failure, malfunction or deterioration of required cargo securement device or load covering.(3)
Part 4. Coupling Devices	a) coupler or mounting has loose or missing fastener.	a) coupler is insecure or movement exceeds prescribed limit.(4) b) coupling or locking mechanism is damaged or fails to lock. c) defective, incorrect or missing safety chain or cable.
Part 5. Dangerous Goods		a) dangerous goods requirements not met.(5)
Part 6. Driver Controls	a) accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly.	
Part 7. Driver Seat	a) seat is damaged or fails to remain in set position.	a) seatbelt or tether belt is insecure, missing or malfunctions.

<b>Systems and Components</b>	<b>Minor Defects</b>	<b>Major Defects</b>
Part 8. Electric Brake System	a) loose or insecure wiring or electrical connection.	a) inoperative breakaway device. b) inoperative brake.
Part 9. Emergency Equipment and Safety Devices	a) emergency equipment is missing, damaged or defective.	
Part 10. Exhaust System	a) exhaust leak, except as described in next column	a) leak that causes exhaust gas to enter the occupant compartment.
Part 11. Frame and Cargo Body	a) damaged frame or cargo body.	a) visibly shifted, cracked, collapsing or sagging frame member.
Part 12. Fuel System	a) missing fuel tank cap.	a) insecure fuel tank. b) dripping fuel leak.
Part 13. General		a) serious damage or deterioration that is noticeable and may affect the vehicle's safe operation.
Part 14. Glass and Mirrors	a) required mirror (6) or window glass fails to provide the required view (7) to the driver as a result of being cracked, broken, damaged, missing or maladjusted. b) required mirror (6) or glass has broken or damaged attachments onto vehicle body.	
Part 15. Heater / Defroster	a) control or system failure.	a) defroster fails to provide unobstructed view through the windshield.
Part 16. Horn	a) vehicle has no operative horn.	

<b>Systems and Components</b>	<b>Minor Defects</b>	<b>Major Defects</b>
Part 17. Hydraulic Brake System	(a) brake fluid level is below indicated minimum level.	(a) brake boost or power assist is not operative. (b) brake fluid leak. (c) brake pedal fade or insufficient brake pedal reserve. (d) activated (other than ABS) warning device. (e) brake fluid reservoir is less than ¼ full.



		(f) parking brake is inoperative.
Part 18. Lamps and Reflectors	(a) required lamp does not function as intended. <sup>8</sup> (b) required reflector is missing or partially missing. <sup>9</sup>	<i>When use of lamps is required:</i> (a) failure of both low-beam headlamps. (b) failure of both rearmost tail lamps. <i>At all times:</i> (a) failure of a rearmost turn-indicator lamp. (b) failure of both rearmost brake lamps.
Part 19. Steering	(a) steering wheel lash (free-play) is greater than normal.	(a) steering wheel is insecure, or does not respond normally. (b) steering wheel lash (free-play) exceeds prescribed limit. <sup>10</sup>
Part 20. Suspension System	(a) air leak in air suspension system. (b) a broken spring leaf. (c) suspension fastener is loose, missing or broken.	(a) damaged (patched, cut, bruised, cracked to braid or deflated) air bag or insecurely mounted air bag. (b) cracked or broken main spring leaf or more than one broken spring leaf in any spring assembly. (c) part of spring leaf or suspension is missing, shifted out of place or is in contact with another vehicle component. (d) loose U-bolt.

Systems and Components	Minor Defects	Major Defects
Part 21. Tires	<ul style="list-style-type: none"> <li>a) damaged tread or sidewall of tire.</li> <li>b) tire leaking, if leak cannot be heard.</li> </ul>	<ul style="list-style-type: none"> <li>a) flat tire. Tire leaking, if leak can be felt or heard</li> <li>b) tire tread depth is less than wear limit.(11)</li> <li>c) tire is in contact with another tire or any vehicle component other than mud-flap.</li> <li>d) tire is marked "Not for highway use".</li> <li>e) tire has exposed cords in the tread or outer sidewall area</li> </ul>
Part 22. Wheels, Hubs and Fasteners	<ul style="list-style-type: none"> <li>a) hub oil below minimum level (when fitted with sight glass).</li> <li>b) leaking wheel seal.</li> </ul>	<ul style="list-style-type: none"> <li>a) wheel has loose, missing or ineffective fastener.</li> <li>b) damaged, cracked or broken wheel, rim or attaching part.</li> <li>c) evidence of imminent wheel, hub or bearing failure.</li> </ul>
Part 23. Windshield Wiper / Washer	<ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper blade is damaged, missing or fails to adequately clear driver's field of vision.</li> </ul>	<p>When use of wipers or washer is required:</p> <ul style="list-style-type: none"> <li>a) wiper or washer fails to adequately clear driver's field of vision in area swept by driver's side wiper.</li> </ul>

## Schedule 2,

### Daily inspection of buses and of trailers drawn by buses

Systems and Components	Minor Defects	Major Defects
Part 1. Accessibility Devices	Accessibility device may not be used if: a) alarm fails to operate. b) equipment malfunctions. c) interlock system malfunctions.	a) vehicle fails to return to normal level after kneeling. b) extendable lift, ramp or other passenger-loading device fails to retract.
Part 2. Air Brake System	a) audible air leak. b) slow air pressure build-up rate.	a) pushrod stroke of any brake exceeds the adjustment limit.(1) b) air loss rate exceeds prescribed limit.(2) c) inoperative towing vehicle (tractor) protection system. d) low air warning system fails or system is activated. e) inoperative service, parking or emergency brake.
Part 3. Cargo Securement	a) insecure or improper load covering.	a) insecure cargo. b) absence, failure, malfunction or deterioration of required cargo securement device or load covering.(3)
Part 4. Coupling Devices	a) coupler or mounting has loose or missing fastener.	a) coupler is insecure or movement exceeds prescribed limit.(4) b) coupling or locking mechanism is damaged or fails to lock. c) defective, incorrect or missing safety chain or cable.
Part 5. Dangerous Goods		a) dangerous goods requirements not met.(5)
Part 6. Doors and Emergency Exits	a) door, window or hatch fails to open or close securely. b) alarm inoperative.	When carrying passengers: a) required emergency exit fails to function as intended.(12)

Systems and Components	Minor Defects	Major Defects
Part 7. Driver Controls	a) accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly.	When carrying passengers: a) accelerator sticking and engine fails to return to idle.
Part 8. Driver Seat	a) seat is damaged or fails to remain in set position.	a) seatbelt or tether belt is insecure, missing or malfunctions.
Part 9. Electric Brake System	a) loose or insecure wiring or electrical connection.	a) inoperative breakaway device. b) inoperative brake.
Part 10. Emergency Equipment and Safety Devices	a) emergency equipment is missing, damaged or defective.	
Part 11. Exhaust System	a) exhaust leak, except as described in next column	a) leak that causes exhaust gas to enter the occupant compartment.
Part 12. Exterior Body and Frame	a) insecure or missing body parts. b) insecure or missing compartment door. c) damaged frame or body.	a) visibly shifted, cracked, collapsing or sagging frame member.
Part 13. Fuel System		a) missing fuel tank cap. b) insecure fuel tank. c) dripping fuel leak.
Part 14. General		a) serious damage or deterioration that is noticeable and may affect the vehicle's safe operation.
Part 15. Glass and Mirrors	a) required mirror(6) or window glass fails to provide the required view(7) to the driver as a result of being cracked, broken, damaged, missing or maladjusted. b) required mirror(6) or glass has broken or damaged attachments onto vehicle body.	When carrying passengers: a) driver's view of the road is obstructed in the area swept by the windshield wipers.
Part 16. Heater / Defroster	a) control or system failure.	a) defroster fails to provide unobstructed view through the windshield.
Part 17. Horn	a) vehicle has no operative horn.	

Systems and Components	Minor Defects	Major Defects
Part 18. Hydraulic Brake System	a) brake fluid level is below indicated minimum level.	a) brake boost or power assist is not operative. b) brake fluid leak. c) brake pedal fade or insufficient brake pedal reserve. d) activated (other than anti-lock braking system) warning device. e) brake fluid reservoir is less than 1/4 full. f) parking brake is inoperative.
Part 19. Lamps and Reflectors	a) required interior lamp does not function as intended.(8) b) required reflector is missing or partially missing.(9) c) passenger safety or access lamp does not function.	When use of lamps is required: a) failure of both low-beam headlamps. b) failure of both rearmost tail lamps. At all times: a) failure of a rearmost turn-indicator lamp. b) failure of both rearmost brake lamps.
Part 20. Passenger Compartment	1. stanchion padding is damaged. 2. damaged steps or floor. 3. insecure or damaged overhead luggage rack or compartment. 4. malfunction or absence of required passenger or mobility device restraints.(14) 5. passenger seat is insecure.	When affected position is occupied: 1. malfunction or absence of required passenger or mobility device restraints.(14) 2. passenger seat is insecure.
Part 21. Steering	a) steering wheel lash (free-play) is greater than normal.	a) steering wheel is insecure, or does not respond normally. b) steering wheel lash (free-play) exceeds prescribed limit.(10)

Systems and Components	Minor Defects	Major Defects
Part 22. Suspension System	<ul style="list-style-type: none"> <li>a) air leak in air suspension system.</li> <li>b) a broken spring leaf.</li> <li>c) suspension fastener is loose, missing or broken.</li> </ul>	<ul style="list-style-type: none"> <li>a) damaged (patched, cut, bruised, cracked to braid or deflated) air bag.</li> <li>b) cracked or broken main spring leaf or more than one broken spring leaf.</li> <li>c) part of spring leaf or suspension is missing, shifted out of place or is in contact with another vehicle component.</li> <li>d) loose U-bolt.</li> </ul>
Part 23. Tires	<ul style="list-style-type: none"> <li>a) damaged tread or sidewall of tire.</li> <li>b) tire leaking, if leak cannot be heard.</li> </ul>	<ul style="list-style-type: none"> <li>a) flat tire. Tire leaking, if leak can be felt or heard</li> <li>b) tire tread depth is less than wear limit.(11)</li> <li>c) tire is in contact with another tire or any vehicle component other than mud-flap.</li> <li>d) tire is marked "Not for highway use".</li> <li>e) tire has exposed cords in the tread or outer sidewall area</li> </ul>
Part 24. Wheels, Hubs and Fasteners	<ul style="list-style-type: none"> <li>1. hub oil below minimum level (when fitted with sight glass).</li> <li>2. leaking wheel seal.</li> </ul>	<ul style="list-style-type: none"> <li>1. wheel has loose, missing or ineffective fastener.</li> <li>2. damaged, cracked or broken wheel, rim or attaching part.</li> <li>3. evidence of imminent wheel, hub or bearing failure.</li> </ul>
Part 25. Windshield Wiper / Washer	<ul style="list-style-type: none"> <li>1. control or system malfunction.</li> <li>2. wiper blade is damaged, missing or fails to adequately clear driver's field of vision.</li> </ul>	<p>When use of wipers or washer is required:</p> <ul style="list-style-type: none"> <li>1. wiper or washer fails to adequately clear driver's field of vision in area swept by driver's side wiper.</li> </ul>

### Schedule 3,

### Daily inspection of inter-city buses

Systems and Components	Minor Defects	Major Defects
Part 1. Accessibility Devices	Accessibility device may not be used if: a) alarm fails to operate. b) equipment malfunctions. c) interlock system malfunctions.	a) vehicle fails to return to normal level after kneeling. b) extendable lift, ramp or other passenger-loading device fails to retract.
Part 2. Air Brake System	a) audible air leak. b) slow air pressure build-up rate.	a) there is any indication of a brake adjustment problem. b) air loss rate exceeds prescribed limit.(2) c) inoperative towing vehicle (tractor) protection system. d) low air warning system fails or system is activated. e) inoperative service, parking or emergency brake.
Part 3. Coupling Devices	a) coupler or mounting has loose or missing fastener.	a) coupler is insecure or movement exceeds prescribed limit.(4) b) coupling or locking mechanism is damaged or fails to lock. c) defective, incorrect or missing safety chain or cable.
Part 4. Dangerous Goods		a) dangerous goods requirements not met.(5)
Part 5. Doors and Emergency Exits	a) door, window or hatch fails to open or close securely. b) alarm inoperative.	When carrying passengers: a) required emergency exit fails to function as intended.(12)
Part 6. Driver Controls	a) accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly.	When carrying passengers: a) accelerator sticking and engine fails to return to idle.
Part 7. Driver Seat	a) seat is damaged or fails to remain in set position.	a) seatbelt or tether belt is insecure, missing or malfunctions.



Systems and Components	Minor Defects	Major Defects
Part 8. Emergency Equipment and Safety Devices	a) emergency equipment is missing, damaged or defective.	
Part 9. Exhaust System	a) exhaust leak, except as described next column	a) leak that causes exhaust gas to enter the occupant compartment.
Part 10. Exterior Body	a) insecure or missing body parts. b) insecure or missing compartment door.	
Part 11. Fuel System		a) missing fuel tank cap. b) insecure fuel tank. c) dripping fuel leak.
Part 12. General		a) serious damage or deterioration that is noticeable and may affect the vehicle's safe operation.
Part 13. Glass and Mirrors	a) required mirror(6) or window glass fails to provide the required view(7) to the driver as a result of being cracked, broken, damaged, missing or maladjusted. b) required mirror(6) or glass has broken or damaged attachments onto vehicle body.	When carrying passengers: a) driver's view of the road is obstructed in the area swept by the windshield wipers.
Part 14. Heater / Defroster	a) control or system failure.	a) defroster fails to provide unobstructed view through the windshield.
Part 15. Horn	a) vehicle has no operative horn.	
Part 16. Lamps and Reflectors	a) required interior lamp does not function as intended.(13) b) required reflector is missing or partially missing.(9) c) passenger safety or access lamp does not function.	When use of lamps is required: a) failure of both low-beam headlamps. b) failure of both rearmost tail lamps. At all times: a) failure of a rearmost turn-indicator lamp. b) failure of both rearmost brake lamps.



<b>Systems and Components</b>	<b>Minor Defects</b>	<b>Major Defects</b>
Part 17. Passenger Compartment	<ul style="list-style-type: none"> <li>a) stanchion padding is damaged.</li> <li>b) damaged steps or floor.</li> <li>c) insecure or damaged overhead luggage rack or compartment.</li> <li>d) malfunction or absence of required passenger or mobility device restraints.(14)</li> <li>e) passenger seat is insecure.</li> </ul>	<p>When affected position is occupied:</p> <ul style="list-style-type: none"> <li>a) malfunction or absence of required passenger or mobility device restraints.(14)</li> <li>b) passenger seat is insecure.</li> </ul>
Part 18. Suspension System	<ul style="list-style-type: none"> <li>a) air leak in air suspension system.</li> </ul>	<ul style="list-style-type: none"> <li>a) damaged (patched, cut, bruised, cracked to braid or deflated) air bag.</li> </ul>
Part 19. Steering	<ul style="list-style-type: none"> <li>a) steering wheel lash (free-play) is greater than normal.</li> </ul>	<ul style="list-style-type: none"> <li>a) steering wheel is insecure, or does not respond normally.</li> <li>b) steering wheel lash (free-play) exceeds prescribed limit.(10)</li> </ul>
Part 20. Tires	<ul style="list-style-type: none"> <li>a) damaged tread or sidewall of tire.</li> <li>b) tire leaking, if leak cannot be heard.</li> </ul>	<ul style="list-style-type: none"> <li>a) flat tire. Tire leaking, if leak can be felt or heard</li> <li>b) tire tread depth is less than wear limit.(11)</li> <li>c) tire is in contact with another tire or any vehicle component other than mud-flap.</li> <li>d) tire is marked "Not for highway use".</li> <li>e) tire has exposed cords in the tread or outer sidewall area</li> </ul>
Part 21. Wheels, Hubs and Fasteners	<ul style="list-style-type: none"> <li>a) hub oil below minimum level (when fitted with sight glass).</li> <li>b) leaking wheel seal.</li> </ul>	<ul style="list-style-type: none"> <li>a) wheel has loose, missing or ineffective fastener.</li> <li>b) damaged, cracked or broken wheel, rim or attaching part.</li> <li>c) evidence of imminent wheel, hub or bearing failure.</li> </ul>
Part 22. Windshield Wiper / Washer	<ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper blade is damaged, missing or fails to adequately clear driver's field of vision.</li> </ul>	<p>When use of wipers or washer is required:</p> <ul style="list-style-type: none"> <li>a) wiper or washer fails to adequately clear driver's field of vision in area swept by driver's side wiper.</li> </ul>

## Schedule 4,

### Under-Vehicle Inter-City Bus Inspections

Systems and Components	Defects
Part 1. Air Brake System	<ul style="list-style-type: none"> <li>(a) audible air leak.</li> <li>(b) brake pushrod stroke is beyond the adjustment limit.<sup>1</sup></li> <li>(c) clearance between disc brake pads and rotor exceeds manufacturer's specified limit.</li> <li>(d) REVOKED: O. Reg. 208/18, s. 5.</li> <li>(e) wedge brake shoe movement exceeds manufacturer's specified limit.</li> <li>(f) excessive discharge of fluids from air reservoir.</li> <li>(g) air compressor, mounts or attachments damaged or defective.</li> <li>(h) compressor drive-belt loose or damaged.</li> <li>(i) air line or fitting damaged or insecure.</li> <li>(j) air tank defective, damaged or insecure.</li> <li>(k) air tank drain or moisture ejector device inoperable.</li> <li>(l) brake chamber, brake linkage or other brake component is defective, damaged or insecure.</li> <li>(m) Revoked: O. Reg. 242/14, s. 12 (2).</li> <li>(n) spring brake is broken or malfunctions.</li> <li>(o) inoperative service, parking or emergency brake.</li> </ul>
Part 2. Exhaust System	<ul style="list-style-type: none"> <li>(a) exhaust leak.</li> <li>(b) exhaust system component insecure, damaged or perforated.</li> </ul>
Part 3. Frame and Underbody	<ul style="list-style-type: none"> <li>(a) any frame member or fastener is damaged, cracked or insecure.</li> <li>(b) any component mount is damaged or insecure.</li> </ul>
Part 4. Fuel System	<ul style="list-style-type: none"> <li>(a) fuel leak.</li> <li>(b) insecure fuel tanks, fuel tank mounts or guards.</li> <li>(c) fuel line or fitting damaged or insecure.</li> </ul>
Part 5. Steering	<ul style="list-style-type: none"> <li>(a) steering linkage is damaged or insecure.</li> <li>(b) power steering fluid is leaking, contaminated or low.</li> <li>(c) power steering component damaged or insecure.</li> </ul>
Part 6. Suspension System	<ul style="list-style-type: none"> <li>(a) air leak or malfunction of air suspension system or component.</li> <li>(b) damage or deterioration of any suspension component including: <ul style="list-style-type: none"> <li>(i) spring and air bag,</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(ii) axle or frame attaching component,</li> <li>(iii) axle supporting or aligning component,</li> <li>(iv) suspension or component fastener,</li> <li>(v) shock absorber or attachments.</li> </ul>
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System and Components	Defects
Part 7. Tires	<ul style="list-style-type: none"> <li>a) tire inflation less than required.(15)</li> <li>b) tire tread is less than wear limit.(11)</li> <li>c) damage to tread or sidewall of tire.</li> <li>d) retread or rebuilt tire is used on front axle.</li> </ul>
Part 8. Wheels and Fasteners	<ul style="list-style-type: none"> <li>a) loose, missing, damaged or ineffective wheel fastener.</li> <li>b) damaged wheel or wheel component.</li> </ul>

## Schedule 5,

### Daily inspection of school purposes buses

Systems and Components	Minor Defects	Major Defects
Part 1. Air Brake System	<ul style="list-style-type: none"> <li>a) audible air leak.</li> <li>b) slow air pressure build-up rate.</li> </ul>	<ul style="list-style-type: none"> <li>a) brake is beyond its adjustment limit.(1)</li> <li>b) air loss rate exceeds prescribed limit.(2)</li> <li>c) low air warning system fails or system is activated.</li> <li>d) inoperative service, parking or emergency brake.</li> </ul>
Part 2. Alternating Overhead Lamps	<ul style="list-style-type: none"> <li>a) a lamp is missing or inoperative.</li> <li>b) lamps do not alternate.</li> <li>c) a lamp is not of the proper colour.</li> </ul>	<p>When use of lamp is required:</p> <ul style="list-style-type: none"> <li>a) a lamp is missing or inoperative.</li> <li>b) lamps do not alternate.</li> <li>c) a lamp is not of the proper colour.</li> </ul>
Part 3. Doors and Windows, other than Emergency Exits	<ul style="list-style-type: none"> <li>a) a window or door fails to open or close securely.</li> </ul>	<p>When carrying passengers:</p> <ul style="list-style-type: none"> <li>a) door fails to open or close securely.</li> </ul> <p>At all times:</p> <ul style="list-style-type: none"> <li>a) window fails to provide the required view(16) to the driver as a result of being cracked, broken, damaged, missing, maladjusted, clouded or fogged.</li> </ul>
Part 4. Driver Controls	<ul style="list-style-type: none"> <li>a) accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly.</li> </ul>	<ul style="list-style-type: none"> <li>a) accelerator sticking and engine fails to return to idle.</li> </ul>
Part 5. Emergency Exits	<ul style="list-style-type: none"> <li>a) required alarm is inoperative.(17)</li> </ul>	<p>When carrying passengers:</p> <ul style="list-style-type: none"> <li>a) window fails to open from inside or close securely.</li> <li>b) door fails to open freely from inside and outside.</li> <li>c) a required door alarm is inoperative.(17)</li> </ul>

Systems and Components	Minor Defects	Major Defects
Part 6. Emergency Flares, Lamps or Reflectors	a) missing or insecure.	
Part 7. Exhaust System	a) exhaust leak, except as described next column	a) leak that causes exhaust gas to enter the occupant compartment.
Part 8. Exterior Body and Frame	a) insecure or missing body parts. b) insecure or missing compartment door. c) damaged frame or body.	a) one or more visibly shifted, cracked, collapsing or sagging frame member.
Part 9. Fire Extinguisher	a) fire extinguisher missing. b) the gauge on any required fire extinguisher indicates an empty condition or a complete lack of pressure.(18) c) fire extinguisher is not securely mounted or stored in a manner that prevents the extinguisher from being a projectile object.	When carrying passengers: a) fire extinguisher missing. b) the gauge on any required fire extinguisher indicates an empty condition or a complete lack of pressure.(18)
Part 10. First Aid Kit	a) required first aid kit is missing.(19) b) kit is incomplete.	When carrying passengers: a) required first aid kit is missing.(19)
Part 11. Fuel System		a) missing fuel tank cap. b) insecure fuel tank. c) dripping fuel leak.
Part 12. General		a) serious damage or deterioration that is noticeable and may affect the vehicle's safe operation.
Part 13. Heater / Defroster	a) control or system failure.	a) defroster fails to provide an unobstructed view through the windshield and through the side windows to the left and right of the driver's seat.
Part 14. Horn	a) no operative horn.	

Systems and Components	Minor Defects	Major Defects
Part 15. Hydraulic Brake System	a) brake fluid level is below indicated minimum level.	a) brake boost or power assist is not operative. b) brake fluid leak. c) brake pedal fade or insufficient brake pedal reserve. d) activated (other than anti-lock braking system) warning device. e) brake fluid reservoir is less than 1/4 full. f) inoperative service or parking brake.
Part 16. Inspection Stickers		a) a required sticker is missing, unreadable or is invalid.(20)
Part 17. Lamps and Reflectors	a) required interior or exterior lamp does not operate or function as intended.(21) b) required reflector is missing or partially missing.(9)	At all times: a) vehicle does not have at least one left and one right rear turn signal lamp. b) vehicle does not have at least one brake lamp. When use of lamps is required: a) vehicle does not have at least one low-beam headlamp. b) vehicle does not have at least one tail lamp.
Part 18. Mirrors	a) a mirror fails to provide the required view to the driver as a result of being cracked, damaged or maladjusted.(22) b) a mirror has broken or damaged attachments onto vehicle body.	a) a mirror is missing or broken. b) the glass surface of a mirror has an aggregate non-reflective area exceeding 6.5 square centimetres (1 sq in).
Part 19. Mobility Device Lift		a) extendable lift, ramp or other passenger-loading device fails to retract.
Part 20. Mobility Device Ramp		a) ramp will not attach securely to vehicle when positioned to load or unload passengers in mobility devices or will not remain in the stored position. b) ramp structure is weak, damaged or worn.

Systems and Components	Minor Defects	Major Defects
Part 21. Passenger Compartment	<ul style="list-style-type: none"> <li>a) stanchion padding is damaged.</li> <li>b) damaged steps or floor.</li> <li>c) insecure or damaged overhead luggage rack or compartment.</li> </ul>	
Part 22. Pedestrian-Student Safety Crossing Arm	<ul style="list-style-type: none"> <li>a) the arm is missing or fails to function as intended.</li> </ul>	
Part 23. Seats and Seat Belts	<ul style="list-style-type: none"> <li>a) driver's seat fails to remain in set position.</li> <li>b) required restraint system or component of required restraint system is missing.(23)</li> <li>c) restraint system or component of restraint system is defective.</li> <li>d) seat is insecure.</li> <li>e) restraint system for passenger in mobility device or mobility device restrain system or component of either system is missing or defective.</li> </ul>	<p>When affected position is occupied:</p> <ul style="list-style-type: none"> <li>a) required restraint system or component of restraint system is missing.(23)</li> <li>b) restraint system or component of restraint system is defective.</li> <li>c) seat is insecure.</li> </ul> <p>When affected position is occupied with a mobility device or a passenger in a mobility device:</p> <ul style="list-style-type: none"> <li>a) passenger restraint system, mobility device restraint system or component of either system is missing or defective.</li> </ul> <p>When affected position or position behind it is occupied:</p> <ul style="list-style-type: none"> <li>a) passenger seat or passenger protection barrier is insecure.</li> <li>b) seat back or passenger protection barrier padding is missing, partially missing or has shifted from position so as not to be effective.</li> </ul>
Part 24. Steering	<ul style="list-style-type: none"> <li>a) steering wheel lash (free-play) is greater than normal.</li> </ul>	<ul style="list-style-type: none"> <li>a) steering wheel is insecure, or does not respond normally.</li> <li>b) steering wheel lash (free-play) exceeds prescribed limit.(10)</li> </ul>

Systems and Components	Minor Defects	Major Defects
Part 25. Stop Arm	<ul style="list-style-type: none"> <li>a) stop arm or stop sign is missing.</li> <li>b) stop arm or stop sign is damaged so as to significantly affect visibility.</li> <li>c) will not extend fully or stay fully extended.</li> <li>d) either light on stop arm is inoperative or lights do not alternate or lights are not red.</li> </ul>	<p>When use of stop arm or stop sign is required:</p> <ul style="list-style-type: none"> <li>a) stop arm or stop sign is missing.</li> <li>b) stop arm or stop sign is damaged so as to significantly affect visibility.</li> <li>c) will not extend fully or stay fully extended.</li> <li>d) either light on stop arm is inoperative or lights do not alternate or lights are not red.</li> </ul>
Part 26. Suspension System	<ul style="list-style-type: none"> <li>a) air leak in air suspension system.</li> <li>b) one broken spring leaf.</li> <li>c) suspension fastener is loose, missing or broken.</li> </ul>	<ul style="list-style-type: none"> <li>a) damaged (patched, cut, bruised, cracked to braid or deflated) air bag.</li> <li>b) cracked or broken main spring leaf or more than one broken spring leaf.</li> <li>c) part of spring leaf or suspension is missing, shifted out of place or in contact with another vehicle component.</li> <li>d) loose U-bolt.</li> <li>e) broken spring on other than a leaf spring system.</li> </ul>
Part 27. Tires	<ul style="list-style-type: none"> <li>a) damaged tread or sidewall of tire.</li> <li>b) tire leaking, if leak cannot be heard</li> </ul>	<ul style="list-style-type: none"> <li>a) flat tire. Tire leaking, if leak can be felt or heard</li> <li>b) tire tread depth is less than wear limit.</li> <li>c) tire is in contact with another tire or any vehicle component other than mud-flap.</li> <li>d) tire is marked "Not for highway use".</li> <li>e) tire has exposed cords in the tread or outer sidewall area.</li> </ul>



Systems and Components	Minor Defects	Major Defects
Part 28. Wheels, Hubs, Fasteners and Bearings	<ul style="list-style-type: none"> <li>a) hub oil below minimum level (when fitted with sight glass).</li> <li>b) leaking wheel seal.</li> </ul>	<ul style="list-style-type: none"> <li>a) wheel has loose, missing or ineffective fastener.</li> <li>b) damaged, cracked or broken wheel, rim or attaching part.</li> <li>c) evidence of imminent wheel, hub or bearing failure.</li> </ul>
Part 29. Windshield Wiper / Washer	<ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper blade is damaged, missing or ineffective.</li> <li>c) wiper or washer fails to adequately clear the windshield in the areas swept by both wipers.</li> </ul>	<p><i>When use of wipers or washers is required:</i></p> <ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper is damaged, missing or ineffective.</li> <li>c) wiper or washer fails to adequately clear the windshield in the areas swept by both wipers.</li> </ul>

## Schedule 6,

### Daily inspection of school purposes vehicles

Systems and Components	Minor Defects	Major Defects
Part 1. Doors and Windows	a) window or door fails to open or close securely.	When carrying passengers: a) door fails to open or close securely. At all times: a) window fails to provide the required view(24) to the driver as a result of being cracked, broken, damaged, missing, maladjusted, clouded or fogged.
Part 2. Driver Controls	a) accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly.	a) accelerator sticking and engine fails to return to idle.
Part 3. Exhaust System	a) exhaust leak, except as described next column	a) leak that causes exhaust gas to enter the occupant compartment.
Part 4. Exterior Body and Frame	a) insecure or missing body parts. b) damaged frame or body.	a) one or more visibly shifted, cracked, collapsing or sagging frame member.
Part 5. Fuel System	-	a) <u>missing</u> fuel tank cap. b) insecure fuel tank. c) dripping fuel leak.
Part 6. General	-	a) <u>serious</u> damage or deterioration that is noticeable and may affect the vehicle's safe operation.
Part 7. Heater / Defroster	a) control or system failure.	a) defroster fails to provide unobstructed view through the windshield and through the side windows to left and right of driver's seat.
Part 8. Horn	a) no operative horn.	-

Systems and Components	Minor Defects	Major Defects
Part 9. Hydraulic Brake System	a) brake fluid level is below indicated minimum level.	a) brake boost or power assist is not operative. b) brake fluid leak. c) brake pedal fade or insufficient brake pedal reserve. d) activated (other than anti-lock braking system) warning device. e) brake fluid reservoir is less than 1/4 full. f) inoperative service or parking brake.
Part 10. Inspection Stickers	-	a) a required sticker is missing, unreadable or invalid.(20)
Part 11. Lamps	a) required exterior lamp does not operate or function as intended.(8)	At all times: a) does not have at least one left and one right rear turn signal lamp. When use of lamps is required: a) does not have at least one low-beam headlamp. b) does not have at least one tail lamp.
Part 12. Mirrors	a) a mirror fails to provide the required view(24) to the driver as a result of being cracked, broken, damaged, missing or maladjusted. b) a mirror has broken or damaged attachments onto vehicle body.	a) mirror is missing or broken. b) the glass surface of a mirror has an aggregate non-reflective area exceeding 6.5 square centimetres (1 sq in).
Part 13. Mobility Device Lift	-	a) <u>extendable</u> lift, ramp or other passenger-loading device fails to retract.
Part 14. Mobility Device Ramp	-	a) <u>ramp</u> will not attach securely to vehicle when positioned to load or unload passengers in mobility devices, or will not remain in the stored position. b) <u>ramp</u> structure is weak, damaged or worn.

Systems and Components	Minor Defects	Major Defects
Part 15. Seats and Seat Belts	<ul style="list-style-type: none"> <li>a) driver's seat fails to remain in set position.</li> <li>b) required restraint system or component of required restraint system is missing.(14)</li> <li>c) restraint system or component of restraint system is defective.</li> <li>d) seat is insecure</li> <li>e) restraint system for passenger in mobility device or mobility device restraint system or component of either system is missing or defective.</li> </ul>	<p>When affected position is occupied:</p> <ul style="list-style-type: none"> <li>a) required restraint system or component of required system is missing.(14)</li> <li>b) restraint system or component of restraint system is defective.</li> <li>c) seat is insecure.</li> </ul> <p>When affected position is occupied with a mobility device or a passenger in a mobility device:</p> <ul style="list-style-type: none"> <li>a) passenger restraint system, mobility device restraint system or component of either system is missing or defective.</li> </ul>
Part 16. Steering	<ul style="list-style-type: none"> <li>a) steering wheel lash (free-play) is greater than normal.</li> </ul>	<ul style="list-style-type: none"> <li>a) steering wheel is insecure, or does not respond normally.</li> <li>b) steering wheel lash (free-play) exceeds prescribed limit.(10)</li> </ul>
Part 17. Suspension System	<ul style="list-style-type: none"> <li>a) air leak in air suspension system.</li> <li>b) one broken spring leaf.</li> <li>c) suspension fastener is loose, missing or broken.</li> </ul>	<ul style="list-style-type: none"> <li>a) damaged (patched, cut, bruised, craked to braid or deflated) air bag.</li> <li>b) cracked or broken main spring leaf or more than one broken spring leaf.</li> <li>c) part of spring leaf or suspension is missing, shifted out of place or is in contact with another vehicle component.</li> <li>d) loose U-bolt.</li> <li>e) broken spring on other than a leaf spring system.</li> </ul>

Systems and Components	Minor Defects	Major Defects
Part 18. Tires	<ul style="list-style-type: none"> <li>a) damaged tread or sidewall of tire.</li> <li>b) tire leaking, if leak cannot be heard.</li> </ul>	<ul style="list-style-type: none"> <li>a) flat tire. Tire leaking, if leak can be felt or heard</li> <li>b) tire tread depth is less than wear limit.(11)</li> <li>c) tire is in contact with another tire or any vehicle component other than mud-flap.</li> <li>d) tire is marked "Not for highway use".</li> <li>e) tire has exposed cords in the tread or outer sidewall area</li> </ul>
Part 19. Wheels, Hubs and Fasteners	<ul style="list-style-type: none"> <li>a) leaking wheel seal.</li> </ul>	<ul style="list-style-type: none"> <li>a) visual or audible evidence of a loose, missing or ineffective fastener.</li> <li>b) damaged, cracked or broken wheel, rim or attaching part.</li> <li>c) evidence of imminent wheel, hub or bearing failure.</li> </ul>
Part 20. Windshield Wiper / Washer	<ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper blade is damaged, missing or ineffective.</li> <li>c) wiper or washer fails to adequately clear the windshield in the areas swept by both wipers.</li> </ul>	<p>When use of wipers or washer is required:</p> <ul style="list-style-type: none"> <li>a) control or system malfunction.</li> <li>b) wiper is damaged, missing or ineffective.</li> <li>c) wiper or washer fails to adequately clear the windshield in the areas swept by both wipers.</li> </ul>

## Appendix B – Sample Daily Inspection Reports

**Sample 1** – Report: commercial motor vehicle that does not tow a trailer.

DAILY VEHICLE INSPECTION REPORT	
Operator's name _____	Plate # / jurisdiction _____ / _____
Odometer reading _____	Inspection date / time _____ / _____
Inspection location _____	
Printed name of inspection person _____	
<input type="checkbox"/> no major or minor defects found during initial inspection <input type="checkbox"/> major and minor defects found during the initial inspection or while en route _____	
Signature - I inspected the vehicle in accordance with the applicable Regulation _____	
Signature of each driver who did not conduct the initial inspection _____	

**Sample 2** – Report: commercial motor vehicle that tows only one trailer per day.

DAILY VEHICLE INSPECTION REPORT	
Operator's name _____	
Power unit: Plate # / jurisdiction _____ / _____	Odometer reading _____
Trailer: Plate # / jurisdiction _____ / _____	
Inspection date / time _____ / _____	Inspection location _____
Printed name of inspection person _____	
<input type="checkbox"/> power unit <input type="checkbox"/> trailer; no major or minor defects found during initial inspection <input type="checkbox"/> power unit <input type="checkbox"/> trailer; major and minor defects found during the initial inspection or while en route _____	
Signature - I inspected vehicles in accordance with the applicable Regulation _____	
Signature of each driver who did not conduct the initial inspection; _____	
Power unit _____	Trailer _____

**Sample 3** – Report: commercial motor vehicle that tows two trailers at different times.

*Additional trailers may be added by duplicating the information for trailer 2.*

<b>DAILY VEHICLE INSPECTION REPORT</b>	
Operator's name _____	
Power unit; Plate # / jurisdiction _____	Odometer reading _____
Trailer 1, Plate # / jurisdiction _____	
Inspection date / time _____	Inspection location _____
Trailer 2, Plate # / jurisdiction _____	
Inspection date / time _____	Inspection location _____
Printed name of inspection person _____	
<input type="checkbox"/> power unit <input type="checkbox"/> trailer 1 <input type="checkbox"/> trailer 2; no major or minor defects found during initial inspection <input type="checkbox"/> power unit <input type="checkbox"/> trailer 1 <input type="checkbox"/> trailer 2; major and minor defects found during the initial inspection or while en route _____	
Signature - I inspected vehicles in accordance with the applicable Regulation _____	
Signature - I inspected trailer 2 in accordance with the applicable Regulation _____	
Signature of each driver who did not conduct the initial inspection; Power unit _____	
Trailer 1 _____	Trailer 2 _____

**Sample 4** – Report: commercial motor vehicle that tows two trailers at the same time.

<b>DAILY VEHICLE INSPECTION REPORT</b>	
Operator's name _____	
Power unit; Plate # / jurisdiction _____	Odometer reading _____
Trailer 1, Plate # / jurisdiction _____	Trailer 2, Plate # / jurisdiction _____
Inspection date / time _____	Inspection location _____
Printed name of inspection person _____	
<input type="checkbox"/> power unit <input type="checkbox"/> trailer 1 <input type="checkbox"/> trailer 2; no major or minor defects found during initial inspection <input type="checkbox"/> power unit <input type="checkbox"/> trailer 1 <input type="checkbox"/> trailer 2; major and minor defects found during the initial inspection or while en route _____	
Signature - I inspected vehicles in accordance with the applicable Regulation _____	
Signature of each driver who did not conduct the initial inspection; Power unit _____	
Trailer 1 _____	Trailer 2 _____

Although not a requirement operators may choose to indicate if a defect is either major or minor.

No major <input type="checkbox"/> no minor <input type="checkbox"/> defects found during initial inspection.
No major <input type="checkbox"/> no minor <input type="checkbox"/> defects found while en route.
Minor defects found, initial inspection _____
Major defects found, initial inspection _____
Minor defects found, while en route _____
Major defects found, while en route _____

### Sample 5 – Book Report: commercial motor vehicle that tows a trailer.

Left side of page.

Inspection date	Inspection time	Inspection location	Odometer reading (power unit)	Enter X if trailer inspected with power unit	Ontario Trailer plate number	Printed name of inspection person

Right side of page.

Signature - I inspected the vehicle in accordance with the applicable Regulation	Major and minor defects found during the initial inspection or while en route If no defects found enter X	Signature of each driver who did not conduct the initial inspection

### Sample 6 – Book Report: commercial motor vehicle that does not tow a trailer.

Left side of page

Year	20--				
Month of inspection	Inspection time	Inspection location	Odometer reading	Printed name of inspection person	Signature - I inspected the vehicle in accordance with the applicable Regulation
1					
2					
3					
4					
5					
6					
7 etc					

Right side of page.

Major and minor defects found during the initial inspection or while en route. If no defects found enter X	Signature of each driver who did not conduct the initial inspection



**Sample 7 – Report Book: optional items for both types of report books**

Defects reported to (print name)	Item repaired or not in need of repair	Repair date	Printed name and signature of repair person	Work order or file number

**Sample 8 - Under-Vehicle Inspection Report**

<b>UNDER-VEHICLE INSPECTION REPORT</b>	
Operator's name _____ Odometer reading _____	
License plate number _____	Vehicle identification number _____
Date of inspection _____	Inspection location _____
Motor coach was inspected in accordance with the Regulation and there are no defects listed in Column 2 of Schedule 4.	
Technician's printed name _____	Technician's signature _____

**Sample 9 – Certificate of Repairs**

<b>CERTIFICATION OF REPAIRS</b>	
Signature of person, who repaired defect, determined not in need of repair or declared not to be a defect. _____ Date _____ Driver's Signature _____ Date _____	

# Commercial Vehicle Operators' Safety Manual

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## Module 9 – Hours of Service

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## Hours of Service – Learning Objectives

As you work through this module, you will be able to:

- ✓ Describe the Ontario regulatory requirements related to reducing driver fatigue, and when each applies.
- ✓ Identify driving limitations.
- ✓ Identify the provisions for required rest and deferred rest time.
- ✓ Understand cycle rules.
- ✓ Understand the exemptions.
- ✓ Identify the required information for logbooks and record-keeping requirements for “local drivers.”
- ✓ Describe and follow procedures for completing logbooks.
- ✓ Describe the requirements for electronic on-board recording devices.
- ✓ Identify the operator’s responsibilities including both proactive and reactive measures.
- ✓ Understand enforcement and penalties for operators and drivers.

## Hours of Service

Hours of Service governs the maximum driving times, and minimum off-duty times, of commercial vehicle drivers (both bus and truck). Records of the daily driving and other work activities are required to be completed in a prescribed format and kept and made available to enforcement officials upon request.

### Applications

In Ontario, hours of service applies to:

- Operators who hold or should hold a CVOR certificate
- Trucks, tractors or trailers, or a combination of these vehicles, which have a registered gross weight or actual weight greater than 4,500 kilograms **OR**
- Commercial passenger vehicles (buses and vans) with a designed seating capacity of 10 or more passengers
- Drivers of the above commercial vehicles

The “Commercial Vehicle Hours of Service Regulations Application Guide” is available, and can be viewed or downloaded from [CCMTA's website](#).

### Exemptions

The Ontario Hours of Service requirements **do not apply** to the following vehicles:

- Tow trucks (although tow trucks require a CVOR certificate, Hours of Service requirements do not apply at this time)
- A two- or three-axle vehicle being used for the transportation of primary products of a farm, forest, sea or lake, where the driver or the motor carrier is the producer of those primary products; **OR** a return trip after transporting the primary products of a farm, forest, sea or lake, if the vehicle is empty or is transporting products used in the principal operation of a farm, forest, sea or lake
- A vehicle being used by a person in the lawful performance of his or her duties as an inspector
- A cardiac-arrest emergency vehicle operated by or under the authority of a hospital

- A vehicle engaged in providing relief in an emergency – a situation or impending situation that constitutes a danger of major proportions to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise
- A vehicle operated by or on behalf of a municipality, road authority or public utility while responding to a situation or impending situation that constitutes an imminent danger – though not one of major proportions – to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise
- A bus that is operated by or on behalf of a municipality as part of its public-transit service, either within the municipality or within 25 kilometres of the boundary of the municipality
- A pickup truck, when driven for *personal use*, if
  - the vehicle has a manufacturer's gross vehicle weight rating of 6,500 kilograms or less, and
  - is fitted with either
    - the original box that was installed by the manufacturer, which has not been modified
    - a replacement box that duplicates the one that was installed by the manufacturer, which has not been modified
- A large crane or a vehicle used in support of a large crane (while the vehicle is operated by a large crane operator and is carrying parts for the large crane).
  - A large crane means a crane that is capable of raising, lowering or moving any material that weighs more than 13, 607 kg.
  - Large crane operator: a person who holds a Hoisting Engineer-Mobile Crane Operator 1 certificate of qualification issued under the Ontario College of Trades and Apprenticeship Act 2009 or an apprentice in the trade of Hoisting Engineer – Mobile Crane Operator 1.
  - To claim the exemption, the driver must surrender a valid certificate of qualification or proof of apprenticeship to an officer for inspection.

## Basic Requirements

Hours of service regulations in Ontario have:

1. Daily driving requirements
2. Mandatory off-duty time and work-shift requirements
3. Work-cycle requirements
4. Record-keeping requirements

## Ontario Driving Limitations

For the 24-hour period “day,” a driver cannot drive more than 13 hours.

1. Off Duty Time – other than time in a sleeper berth	
2. Off Duty Time – in a sleeper berth	
3. Driving Time	<b>DRIVING = <math>\leq</math> 13</b>
4. On Duty Time – other than driving time	

During the 24-hour period “day,” a driver cannot drive after having been on-duty more than 14 hours.

1. Off Duty Time – other than time in a sleeper berth	
2. Off Duty Time – in a sleeper berth	
3. Driving Time	<b>NO DRIVING AFTER ON DUTY = <math>\leq</math> 14</b>
4. On Duty Time – other than driving time	

During the 24-hour period “day,” a driver must be off-duty for 10 hours, which must include two hours that are not part of a mandatory off-duty period and are at least 30 minutes long.

1. Off Duty Time – other than time in a sleeper berth	<b>OFF DUTY = <math>\geq</math> 10</b> Off-Duty Periods must be at least 30 minutes long or they do not count toward the 10 hours.
2. Off Duty Time – in a sleeper berth	
3. Driving Time	
4. On Duty Time – other than driving time	

## Daily Limits

A “day” is defined as a 24-hour period that typically begins at midnight (or another hour designated by the operator for the driver) and shall apply for the duration of the driver’s cycle.

- **The 13-Hour Driving Time in a “Day” Limit**

No operator shall permit a driver to drive, and no driver shall drive, a commercial vehicle after that driver has accumulated 13 hours of driving time in a day.

- **The 14-Hour On-duty in a “Day” Limit**

No operator shall permit a driver to drive, and no driver shall drive, a commercial vehicle after that driver has accumulated 14 hours of on-duty time in a day.

The 14 hours of on-duty time may consist of driving time, plus on-duty time when not driving. On-duty, not-driving time can mean, for example, working in the operator’s office or facility, or loading or unloading the vehicle, inspecting the vehicle, waiting at the border and so on.

- **The 10-Hours Off-Duty in a “Day” Rule**

An operator shall ensure that a driver takes at least 10 hours of off-duty time in a day. This off-duty time must include at least two hours of off-duty time (taken in blocks of not less than 30 minutes each). Off-duty time means time when a driver is not working or driving (for example, taking a meal break). These periods can be added to, but not form, part of a period of eight consecutive hours of off-duty time, as required by Section 9 of the regulation. The eight-consecutive-hour requirement will be described in more detail in Work Shift Limits.

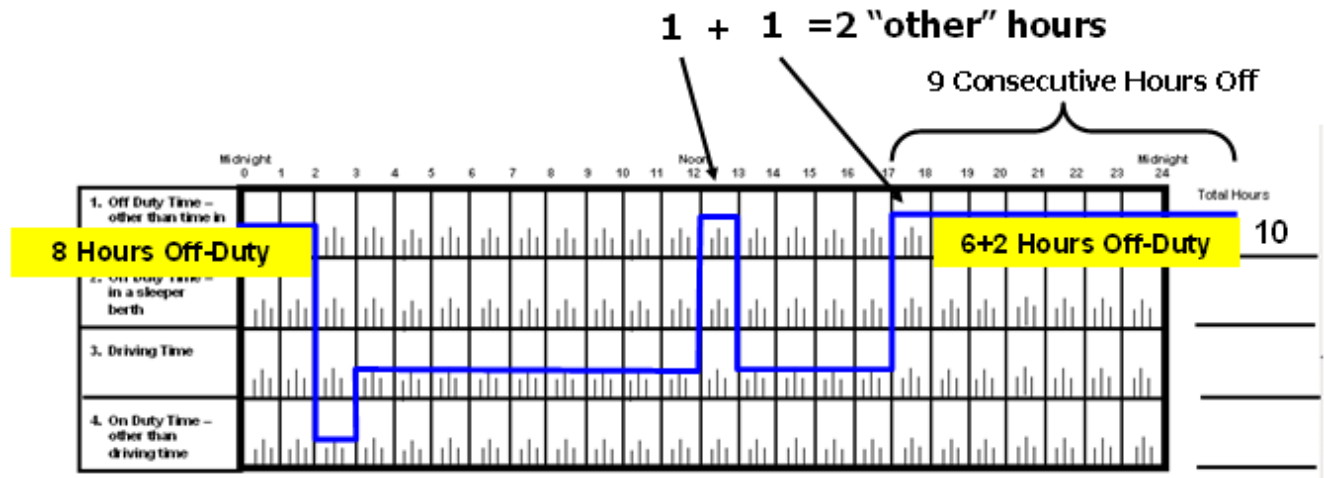
Note: The operator and driver are exempt from the requirement to take 10 hours off-duty in a day while the driver is operating a mobile crane or concrete pumper.



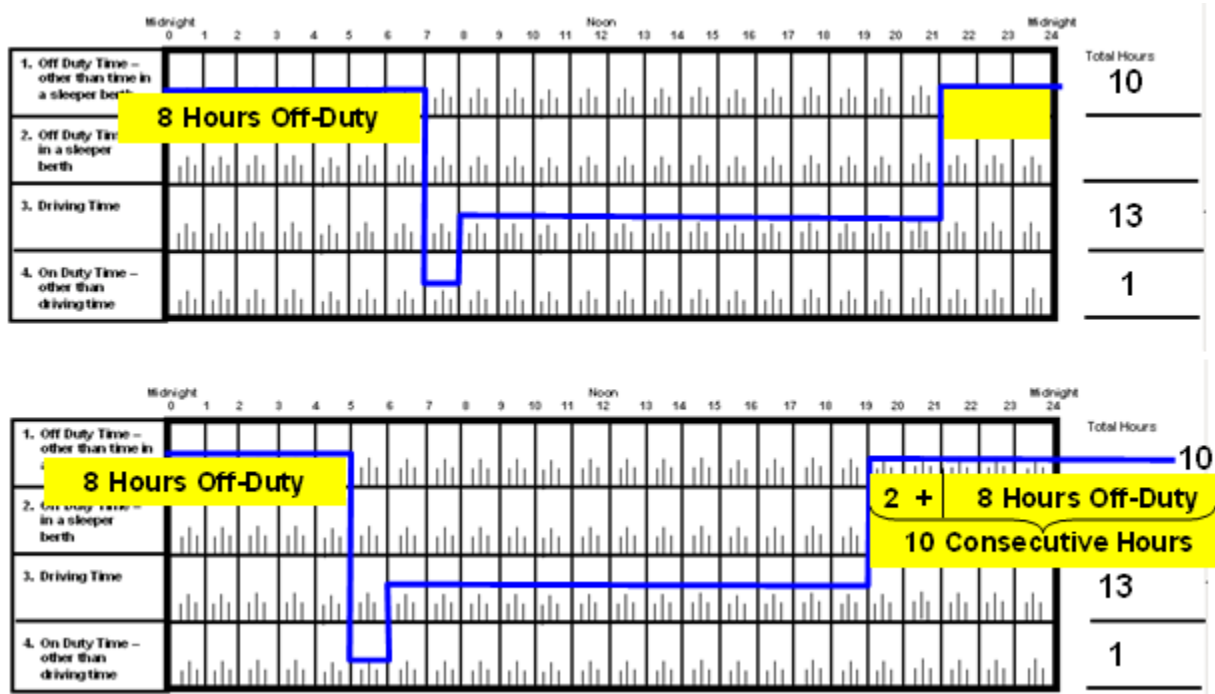
## Daily Off-Duty Time

**Step 1:** Daily off-duty time must total at least 10 hours (made up of periods of at least 30 minutes). For example, 2 hours off-duty + 1 hour of off-duty + 7 hours off-duty = the required 10 hours off-duty.

**Step 2:** Daily off-duty time must include two hours that do not form part of an eight-consecutive-hour, off-duty period required by Section 9. (They can be added to the period.)



Each day must include two hours of off-duty time ( $\geq 30$  minutes), which is not part of a mandatory eight-consecutive-hour, off-duty period required by Section 9.



In the above example, the driver would be in violation of the 10-hour, off-duty rule, despite being off-duty for 10 hours, because all the off-duty hours form part of the mandatory eight hours. Therefore, the driver did not take the additional two hours.

### Deferred Time Provision

If a driver is unable to take 10 hours off-duty time in a day, then up to two hours of off-duty time can be deferred to the following day. This deferral option can be exercised every second day if the driver chooses.

In order to defer daily off-duty time, a driver must meet the following conditions:

- The deferred off-duty time does not form part of the mandatory period of eight consecutive hours.
- Before the end of the second day, the driver takes a consecutive period of off-duty time consisting of the eight consecutive hours plus the off-duty time deferred from the first day (for example, if one hour of off-duty time is deferred from today, the driver must complete an off-duty period of at least nine consecutive hours by the end of tomorrow).
- The total **off-duty** time in the two days must be at least 20 hours.
- The total **driving** time in the two days must not exceed 26 hours.
- The total **on-duty** time in the two days does not exceed 28 hours.
- The driver may not use this deferral option when splitting the eight consecutive hours in a sleeper berth, in accordance with the sleeper-berth split provision.

The driver must declare in the “Remarks” section of the daily log clearly indicating the day from which the off-duty time has been deferred, and the day to which it was deferred.

## **Work-Shift Limits**

### **Mandatory Off-Duty Time (Also Known as Work-Shift Limits)**

A “work shift” is the period that begins when a driver goes on-duty at the end of a period of at least eight hours mandatory off-duty time, and ends when the driver starts the next period of at least eight consecutive hours off-duty.

- **The 13-Hour Driving Time in a Work-Shift Rule**

After a driver has accumulated 13 hours of driving time from the end of the most recent period of eight or more consecutive hours of off-duty time, the operator shall not permit, and the driver shall not drive again, unless he or she takes at least eight consecutive hours of off-duty time.

- **The 14-Hour On-duty in a Work-Shift Rule**

After a driver has accumulated 14 hours of on duty time from the end of the most recent period of eight or more consecutive hours of off-duty time, the operator shall not permit, and the driver shall not drive again, unless he or she takes at least eight consecutive hours of off-duty time.

- **The 16-Hour Elapsed Time in a Work-Shift Rule**

After 16 hours (all time) has elapsed from the end of the most recent period of eight or more consecutive hours of off-duty time, the operator shall not permit, and the driver shall not drive a commercial motor vehicle again, unless he or she takes at least eight consecutive hours of off-duty time.

### **Eight Consecutive Hours of Required Rest**

The eight or more consecutive hours off-duty required to restart a work shift may be a combination of off-duty and sleeper-berth time. A driver may also take the required eight consecutive hours of rest in the sleeper berth, or split the sleeper-berth time into two periods. (The sleeper-berth option is covered in detail in the next section.)

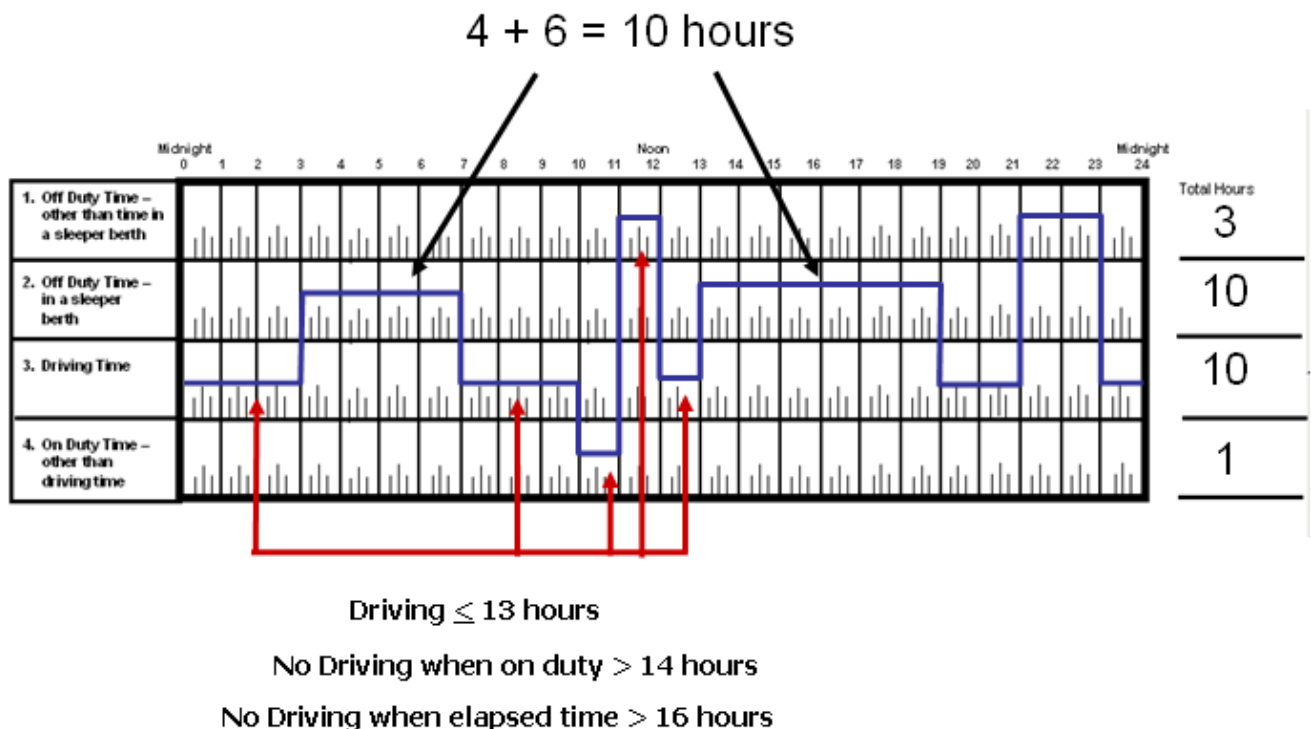
### **Sleeper Berths**

A driver can use a sleeper berth to split the required consecutive off-duty hours into two periods while still complying with the daily off-duty requirements. The sleeper berth must meet all construction and environmental standards specified in Section 8 of the Ontario Regulation 555/06.

## Single Drivers

If the vehicle has a sleeper berth that meets the definition in the regulation, the driver can split the mandatory off-duty time into two sleeper-berth periods if:

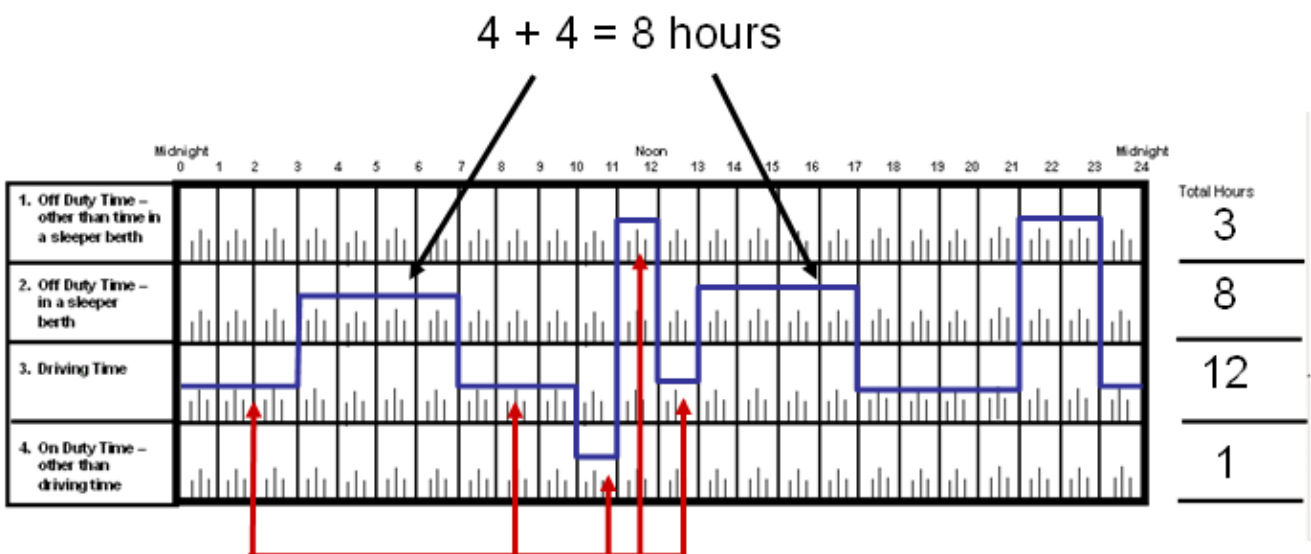
- Neither period is less than two hours.
- The total of the two sleeper periods is at least 10 hours.
- The off-duty time is spent resting in the sleeper berth.
- The total off-duty time in the day is at least 10 hours.
- The total driving time before and after each sleeper period does not exceed 13 hours.
- None of the daily off-duty time is deferred to the next day.
- The elapsed time before and after each sleeper period does not include any driving time after the 16<sup>th</sup> hour when the driver comes on-duty.
- The total of the on-duty time before and after each sleeper period does not include any driving time after the 14<sup>th</sup> hour.



## Team Drivers

If the vehicle has a sleeper berth that meets the definition in the regulation, team drivers can split the eight hours of required off-duty time into two sleeper-berth periods if:

- Neither period is less than four hours.
- The total of the two sleeper periods is at least eight hours.
- The off-duty time is spent resting in the sleeper berth.
- The total driving time before and after each sleeper period does not exceed 13 hours.
- The elapsed time before and after each sleeper period does not include any driving time after the 16<sup>th</sup> hour when the driver comes on-duty.
- None of the daily off-duty time is deferred to the next day.
- The total of the on-duty time before and after each sleeper period does not include any driving time after the 14<sup>th</sup> hour.



Driving  $\leq$  13 hours

No Driving when on duty  $>$  14 hours

No Driving when elapsed time  $>$  16 hours

**Note:** Because the eligible sleeper-berth periods require only a total of eight hours, team drivers must take an additional two hours of off-duty time to meet the daily 10-hour requirement. This time may or may not be sleeper-berth time.

## Driving-Cycles Limits

Because of the cumulative effect of being on-duty over several days and weeks, the Hours of Service regulations include a maximum on-duty time for seven- and 14-day cycles. The operator will designate either a seven-day or 14-day cycle for drivers, and shall require that each driver follow it.

### Seven-Day Cycle

No operator shall permit, and no driver on a seven-day cycle shall drive, a commercial motor vehicle after having been on duty for 70 hours in that cycle.

### 14-Day Cycle

No operator shall permit, and no driver shall drive, a commercial motor vehicle on a 14-day cycle after having been on duty for 120 hours in that cycle. A driver who is following the 14-day cycle shall not drive again in that cycle after accumulating 70 hours of on-duty time, without having taken at least 24 consecutive hours of off-duty time.

### Cycle Reset

When a driver on a seven-day cycle takes 36 consecutive hours off-duty, that cycle ends and a new one starts.

When a driver on a 14-day cycle takes 72 consecutive hours off-duty, that cycle ends and a new one starts.

Once a driver can start a new cycle, they may switch their cycle or switch the starting time of their day.

### Cycle Switching

Once a cycle has been designated, the driver may not switch to the other cycle unless the appropriate reset provision has been satisfied.

### Cycle Switching and Resets

If a driver wants to switch cycles or to reset their current cycle of accumulated hours back to zero, they must take the following number of hours off-duty:

- To reset a seven-day cycle, or switch from a seven-day cycle to a 14-day cycle, take at least 36 consecutive hours off.
- To reset a 14-day cycle, or switch from a 14-day cycle to a seven-day cycle, take at least 72 consecutive hours off.

**Note:** A driver is only in violation when *driving* in excess of the cycle of cumulative hours permitted.

## **Mandatory 24 Hours Off-Duty**

Despite the cycle the driver is following, no operator shall permit, and a driver must not drive, unless there has been at least 24 consecutive hours off-duty in the preceding 14 days.

## **Adverse Driving Conditions**

“Adverse driving conditions” means significantly impaired driving conditions that were not known, or could not reasonably have been known, to a driver, or an operator dispatching a driver immediately before the driver began driving.

A driver who encounters adverse driving conditions while operating a commercial motor vehicle may:

- Increase the daily driving time beyond 13 hours by up to two hours; and the daily 14 hours of on-duty time by up to two hours; and reduce the required 10 hours of off-duty time in a day by a corresponding amount
- Increase the driving time beyond 13 hours in the work shift and sleeper-berth splits by up to two hours; and the 14 hours of on-duty time in a work shift by up to two hours

However, the 16-hour elapsed time cannot be exceeded due to adverse driving conditions.

If, as a result of this extension, the driver exceeds the on-duty time for the cycle permitted under the seven- or 14-day cycles, the cycle requirements under those sections must be met by the end of the following day.

If a driver extends his or her driving or on-duty times due to adverse conditions, the reason for the extension must be entered in the “Remarks” section of the daily log, or on the time record required by an operator for a driver who is not required to complete a daily log.

## **Logbooks**

### **Required Information**

Operators are required to make sure that drivers maintain true and accurate daily logs. This is best done by having a monitoring system ensuring that drivers complete logbooks as required by legislation and are not falsifying them. A sample of a log that meets the requirements of the regulations is contained in the appendix at the end of this module.

The daily log must contain the following required information.

A driver shall, at the start of each day, enter the following information in the daily log:

1. The driver's name
2. The date
3. The name of the driver's co-drivers, if any
4. The start time of the day being recorded, if the day does not start at midnight
5. The cycle that the driver is following
6. The odometer reading at the start of the day, of the commercial motor vehicle to be operated by the driver
7. Recorded in the "Remarks" section of the log, the number of hours of on-duty and off-duty time, as defined in this regulation, that the driver accumulated each day (during the 14 days immediately before the start of the day), for which the driver was exempt by this regulation from keeping a daily log
8. The number plate of each commercial motor vehicle to be driven, and each trailer to be drawn, by the driver on the day
9. The name of the operator for whom the driver is to drive during the day
10. The addresses of the driver's home terminal and principal place of business of the operator for whom the driver is to drive during the day

A driver shall, over the course of each day, enter the following information in the daily log:

1. The start and end times for each duty status during the day
2. Each city, town, village or highway location, and the province or state where the driver's duty status changes

A driver shall, at the end of each day, enter the following information in the daily log:

1. The total time spent in each duty status during the day
2. The odometer reading at the end of the day
3. The total distance driven by the driver
4. The driver's signature, certifying that the information provided is true and accurate



## Graph Grid

The graph grid has to be completed in the prescribed manner.

- A continuous line is drawn between the appropriate markers for each 24-hour period in the grid to record the period of time when the driver is:
  - Off-duty
  - In the sleeper berth
  - Driving
  - On-duty, not driving
- Record the name of the municipality or location on a highway or legal subdivision, and the name of the province or state where each change of duty occurs.
- The graph grid is to be updated at the end of each change in duty status.
- If the driver is engaged in making deliveries in a municipality, which results in a number of periods of driving time being interrupted by short periods of other on-duty time of less than one hour, the periods of driving time may be combined and the periods of other on-duty time may be combined.
- At the end of each day, the total number of hours in each duty status shall be entered in the space to the right of each graph grid, below the phrase "total hours" and shall add up to 24 hours.

	Midnight	0	1	2	3	4	5	6	7	8	9	10	11	Noon	12	13	14	15	16	17	18	19	20	21	22	Midnight	23	24	
Off Duty Time – other than time in a sleeper berth	[Grid with vertical lines for each hour]																								Total Hours				
Off Duty Time – in a sleeper berth	[Grid with vertical lines for each hour]																								_____				
Driving Time	[Grid with vertical lines for each hour]																								_____				
On Duty Time – other than driving time	[Grid with vertical lines for each hour]																								_____				

**Note:**

- Drivers must prepare and maintain logs in the time zone of the driver's home terminal.
- Every motor vehicle is required to have a working odometer. A hub-meter reading is acceptable in lieu of an odometer reading.

**Logbook Exemption**

Under the Ontario regulation, a driver is not required to keep a daily log for the day if:

- On the operator's instructions, a commercial motor vehicle is driven solely within a radius of 160 kilometres of the driver's starting location.
- The driver returns at the end of the day to the location from which he or she started.

If a driver is not required to keep a daily log, the operator shall keep a record for the day showing:

- The date, the driver's name and the location at which the driver starts and ends the day
- The cycle that the driver is following
- The hour at which each duty status starts and ends and the total number of hours spent in each duty status
- The number of hours of on-duty time and off-duty time, within the meaning of this regulation, that the driver accumulated each day during the 14 days immediately before the start of the day, for which the driver was exempt from this regulation and not required to keep a daily log

For the purpose of the hour at which each duty status started and ended, if the driver is on duty within a municipality such that a number of periods of driving time are interrupted by a number of periods of other on-duty time of less than one hour each, the periods of driving time may be combined and the periods of other on-duty time may be combined.

The exemption from having to keep a logbook does **not** exempt a driver from being in compliance with the remainder of the hours of service regulations; it applies only to the requirement of maintaining a logbook. If any of the above conditions that exempt the driver from keeping a log book end, then the driver must maintain a daily log for each day he/she does not qualify for the exemption.

A driver must begin to prepare a daily log for the day immediately after becoming aware that the terms of the exemption cannot be met. The daily log must cover the entire day, even if the driver has to retroactively record changes in status that occurred between the time of reporting for duty and the time in which he/she no longer qualified for the 160-kilometre radius exemption.

The driver is required to enter in the “Remarks” section the number of hours of off-duty and on-duty time that accumulated each day during the previous 14 days, or on one daily log that clearly indicates all required information. A driver may carry the record of duty status for the previous 14 days, instead of entering in the current daily log the times they were on- and off-duty for the previous 14 days.

**Example of Remarks Section:**

June 10-15: Vacation Time – Off-Duty  
June 16: city work – on-duty 12.0 hours; off-duty 12 hours  
June 17: city work – on-duty 12.0 hours; off-duty 12 hours  
June 18: city work – on-duty 8.25 hours; off-duty 15.75 hours  
June 19 & 20: off-duty  
June 21: city work – on-duty 8.0 hours; off-duty 16 hours  
June 22: city work - on-duty 9.5 hours; off-duty 14.5 hours  
June 23: city work - on-duty 8.0 hours; off-duty 16 hours

## Electronic On-Board Recording Device

An electronic or mechanical recording device is allowed instead of the driver maintaining a manual log, as long as the device records time and movement of the vehicle. The device must automatically record the number of times that it is disconnected and keep a record of the time and date of these disconnections. The device must also keep track of, and record, the total on-duty time remaining in the driver's cycle, as well as the total accumulated on-duty time in the cycle. The device must be capable of storing all of this required information, as well as the information that must be included in a log book. The device must be able to display the stored information in a readable format on demand. The driver must be ready to manually prepare log forms should the device not work. When requested by a peace officer, the driver must be prepared to complete manual logs using the information stored in the device for the period of the declared cycle.

Operators may choose to maintain electronic-data downloads of driver log information for a minimum period of six months, thereby meeting the record retention requirement.

## Possession of Logs and Supporting Documents

A driver who is required to keep a daily log must have in his or her possession:

- The daily log for the current day, completed up to the time at which the last change in the driver's duty status occurred
- A copy of the daily logs for the preceding 14 days

**Note:** Drivers will be permitted to record multiple days off-duty on one daily log. (For example, one daily log indicates April 20, 2009, to April 21, 2009 – off-duty.)

If a driver was exempt from keeping a daily log for any of the preceding 14 days, there are three options available.

### Option 1

- The driver must record, in the "Remarks" section of the current daily log, the number of on-duty and off-duty hours for each day of the preceding 14 days for which the driver was not required to keep a daily log.

### Option 2

- The driver may carry the time records required to be kept for any day for which a daily log is not available.

### Option 3

- Drivers can produce any combination of the current log with on-duty and off-duty hours recorded in the "Remarks" section for any day that a daily log was not required in the previous 14 days, and the duty status records or daily logs.

For example, if the driver's preceding 14 days included the following activities:

- Current Day - Drive CMV – Log Required
- Preceding Day 1 - Drive CMV – Log Required
- Preceding Day 2 - Day Off
- Preceding Day 3 - Day Off
- Preceding Day 4 - Drive CMV – Local Time Records
- Preceding Day 5 - Drive CMV – Local Time Records
- Preceding Day 6 - Drive CMV – Log Required
- Preceding Day 7 - Drive CMV – Log Required
- Preceding Day 8 - Day Off
- Preceding Day 9 - Day Off
- Preceding Day 10 - Drive CMV – Log Required
- Preceding Day 11 - Drive CMV – Log Required
- Preceding Day 12 - Drive CMV – Local Time Record
- Preceding Day 13 - Drive CMV – Local Time Record
- Preceding Day 14 - Day Off

The driver would have the option of surrendering the following:

**Option 1** – the current daily log and a daily log for each of the preceding 14 days

**Option 2** – any daily log required to be completed in the preceding 14 days (current, days 1, 6, 7, 10, 11, and recorded on the current log the number of on-duty and off-duty hours for days 2, 3, 4, 5, 8, 9, 12, 13 and 14)

**Option 3** – any daily log required to be completed in the preceding 14 days (current, days 1, 6, 7, 10, 11, and recorded on the current log the number of on-duty and off-duty hours for days 2, 3, 8, 9, 14, and carry the time records completed for days 4, 5, 12, and 13)

When requested by an inspector, the driver must produce his or her logs and trip documentation without delay. Documentation includes anything in the driver's possession that an inspector may use to determine compliance.

## Record-Keeping

The driver is required to submit each completed original log to the operator within 20 days of being produced. The driver must also submit any supporting documents for that daily log as well.

A driver who is employed by two or more operators is required to provide each operator with a copy of all logs. This lets each operator monitor the driver's hours of service for dispatch purposes.

Operators are also required to keep a copy of drivers' logs at their principal place of business for at least six months. If the operator has more than one terminal, and the daily logs are turned in to the driver's home terminal, then the operator must ensure that they are deposited at the principal place of business within 30 days of receiving them.

## Operator Responsibilities

Section 28 of Ontario Regulation 555/06 requires operators to *monitor* the compliance of each driver to the regulations. An operator that determines that there has been non-compliance with the regulations shall take immediate remedial action and record the dates on which the non-compliance occurred, the date of issuance of a notice of non-compliance and the action taken.

## Proactive Measures

A proactive approach is a key component of the hours of service management program. Operators need to develop and implement written policies and procedures to ensure compliance with the regulations. While demonstrating due diligence, the operator has the ability to undertake corrective action through the application of its disciplinary process.

Effective training of operational staff responsible for driver supervision and dispatch, in addition to driver training, is an integral component of a safety management program. Personnel must have knowledge and understanding of the regulations, and be aware of the policies, procedures and available options.

To achieve a high level of compliance, you need effective training of new drivers and re-training of those who have demonstrated a continuing pattern of violations. This will also ensure minimal intervention from enforcement agencies.

Operators must ensure that drivers are only dispatched when there are a sufficient number of on-duty hours available for use. Therefore, a system to monitor a driver's available on-duty time is essential. One example of an hours of service tracking system is when a driver calls the company dispatcher on a daily basis with the accumulated hours for the previous day, and the dispatcher keeps a record of these hours. From the

information provided by the driver, the dispatcher is able to calculate the driver's available hours remaining in the declared cycle.

## **Reactive Measures**

The operator must have the necessary tools available to react when violations of the regulations and associated company policies are identified. Tools that can help identify and modify inappropriate driver behaviour include a self-audit program, timely reviews of driver records, driver disclosures/non-disclosures and the carrier profile. Corrective measures may include re-training and/or disciplinary action, as identified in the operator's disciplinary process. Failure to take corrective action means that the cycle of non-compliance will continue.

## **Self-Audit**

A self-audit is an integral component of an operator's safety program. It provides the operator with the ability to readily identify areas of non-compliance. Audits involve the review of driver logbooks, support documentation such as fuel and lodging receipts, and any other relevant record or information. You need to document the findings to support any corrective/disciplinary action taken. The sample size of the self-audit will vary according to the size of the company. A small operator may choose to audit all driver logs, but a large company may audit a portion of the drivers for a selected period of time.

Driver logbooks should be audited to ensure that:

- There is a log for every day.
- Logbooks are complete with all required information.
- Drivers are in compliance with the regulations (driving limits, required off-duty time and the cycle limits, as applicable).
- Logs are accurate when compared to supporting documents such as dispatch records, fuel receipts, payroll, bills of lading.
- Logs are accurate when analyzed for distance travelled over a period of time.
- On-duty time logged by the driver agrees with the driver's statement of hours worked for payroll submission.
- Driving with a co-driver is substantiated, and the hours declared by the two drivers are appropriate (for example, both drivers not log driving at the same time).
- The operator and the driver are complying with any permit conditions.

- Records are being kept in chronological order for each driver and retained for at least six months.
- Radius-exemption daily records are available, if appropriate, and all four exemption criteria are met every day.

## Reviewing Hours of Service Logs

Under the hours of service legislation, there are many different ways of reviewing an hours of service log to determine if it is in compliance. A three-step process is offered here. All three main steps must be in compliance:

1. Check the daily logs to ensure they are complete and accurate.
2. Check the day.
3. Check the work shift.
4. Check the cycles.

**Note:** In addition, the reviewer must always check to evaluate if an exemption is being used by the driver.

1. Check the daily logs to ensure they are complete and accurate.

Ensure that:

- The daily log contains all required contents outlined in Regulation 555/06.
- The information recorded in the daily log is accurate, including but not limited to: the date, driver name, assigned cycle, vehicle information, duty status, and/or locations. This step should include a comparison of supporting documents to logged driver duty status and location information.

Failure to maintain a complete and accurate daily log is a violation.

The required contents of a handwritten daily log are prescribed in Sections 19 and 20 of Ontario Regulation 555/06 – Hours of Service.

2. **Check the Day** (start time of the 24-hour period must be specified by the operator):
  - **Regular time** (including use of sleeper berth)
    - No driving after **13** hours of driving



- No driving after **14** hours on-duty
- At least **10** hours off-duty

**Note:** Before the driver can drive, at least **eight** hours of this time must be consecutive, and there must be two additional hours off-duty in no less than 30-minute periods that do not form part of the eight consecutive hours.

- **Deferred time**

- Option of deferring up to two hours of daily off-duty time to the second day
- Total driving time in two days not more than **26** hours
- Total on-duty time in two days not more than **28** hours
- Total off-duty time in two days not less than **20** hours
- A mandatory consecutive off-duty period of at least **eight** plus the number of hours deferred completed before the end of the second day

**Note:** This exemption cannot be used with split sleeper provision.

3. **Check the Work Shift** (period between the end of one period of eight hours or more off-duty, and the start of the next period of eight hours or more off-duty):

- **No sleeper berth used**

- No driving after **13** hours driving
- No driving after **14** hours on-duty
- No driving after **16** hours of elapsed time.

**Note:** Elapsed time includes all time in a work shift.

- **Single driver using sleeper berth**

- Driving time before and after each period in the eligible sleeper period not to exceed 13 hours
- No driving after the on-duty time before and after each eligible sleeper period exceeds 14 hours

The driver may not drive after the elapsed time before and after each eligible sleeper period exceeds 16 hours.

**Note:** Each eligible sleeper period must not be less than **two** hours, and the total of the two periods must be at least **10** hours.

- **Team drivers using sleeper berth**

- Driving time before and after each period in the eligible sleeper period not to exceed 13 hours
- No driving after the on-duty time before and after each eligible sleeper period exceeds 14 hours

The driver may not drive after the elapsed time before and after each eligible sleeper period exceeds 16 hours.

**Note:** Each eligible sleeper period must not be less than **four** hours, and the total of the two periods must be at least **eight** hours.

4. **Check the Cycles** (*cycle must be specified by operator*):

- **Seven-day cycle**

- Verify the driver did not drive after accumulating 70 hours of on-duty time in any period of seven consecutive days.

**Note:** A driver may end a seven-day cycle and start a new cycle by taking 36 consecutive hours off-duty. When a driver starts a new cycle, the accumulated hours are deemed to be zero, and the hours start to accumulate again in the new cycle.

- **14-day cycle:**

- Verify the driver did not drive after accumulating 120 hours of on-duty time in any period of 14 consecutive days.
- Verify the driver did not drive after accumulating more than 70 hours at any time during the cycle without taking 24 hours off-duty.

**Note:** A driver may end a 14-day cycle and start a new cycle by taking 72 consecutive hours off-duty. When a driver starts a new cycle, the accumulated hours are deemed to be zero, and the hours start to accumulate again in the new cycle.

- **Day off:**

- Verify that the driver did not drive at any time without having a period of 24 consecutive hours off-duty in the preceding 14 days (regardless of the day or cycle being worked).

## **Corrective Action**

Corrective action may take the form of re-evaluation and assessment, retraining or the application of the disciplinary process leading up to and including dismissal. Corrective actions should be part of an operator's safety plan. Employees must be aware of its existence in the safety plan.

An operator may choose to have new employees acknowledge that they have been informed of the disciplinary policy at the time of hire, in addition to having a copy of the policy in plain view for all employees to see.

The disciplinary process should be progressive in nature. For example, it could start with a documented verbal warning, and then escalate to a written warning signed by the driver, and then suspensions and ultimately termination. Operators should identify offences that would result in immediate termination.

## **Record-Keeping**

The operator is required to maintain driver logbooks and support documents for a period of at least six months. If a driver is exempt from keeping logbooks, the operator is responsible for retaining the appropriate time records and supporting documents. These records must be kept at the operator's principal place of business in Ontario, and in chronological order. The operator is required, upon request by an officer, to produce these records during normal business hours. An officer is not required to give the operator prior notice of inspections.

## Enforcement and Penalties

Drivers and operators in violation of the hours of service regulations may be charged. Violations of these regulations by a driver or the operator that result in convictions are included in the operator's record. An accumulation of these convictions, solely or in combination with convictions for any other type of offence under the *Highway Traffic Act*, may result in the operator being identified for further monitoring and enforcement options.

### Out-of-Service Declarations

Drivers on the road who cannot produce the requested records are subject to being placed out of service. Drivers driving beyond the hours of service limitations are subject to prohibition of driving by an officer, until such time that they have enough hours available to proceed.

Drivers may be placed out of service for 10 consecutive hours for violation of the daily driving and on-duty rules.

If a driver fails to comply with the off-duty time requirements, they may be placed out of service for the number of hours needed to correct the failure.

Drivers may be placed out of service for 72 consecutive hours for any of the following violations:

- Driver is unable or refuses to produce his/her daily log.
- There is evidence that the driver completed more than one daily log for the day, entered inaccurate information or falsified the daily log.
- Driver mutilates or defaces a daily log or supporting documents in such a way that it cannot be determined whether the driver has followed the driving time and off-duty requirements.



# Commercial Vehicle Operators' Safety Manual

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## Module 10 – Dangerous Goods

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

- Trucks, tractors, mobile equipment vehicles or trailers and/or any combination of these vehicles that have a registered gross weight or actual weight of more than 4,500 kilograms
- Tow trucks, regardless of registered gross weight or actual weight
- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

The guide contains several modules, each dealing with a specific topic. To get a complete picture of compliance requirements, you should obtain the complete guide. If you intend to use certain parts of this guide only (for example, Module 1, “Getting Started”) it is recommended that you also obtain the modules “Introduction” and “Commercial Vehicle Operator’s Registration.”

***This is a guide only and is not meant to be a substitute for the relevant statutes and regulations. This guide highlights some important legal provisions but is not an exhaustive description of all the laws that apply.***

## **Dangerous Goods – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Define dangerous goods.
- ✓ Understand the need for legislation to regulate the transportation of dangerous goods.
- ✓ Describe the training required.
- ✓ Identify the classes of dangerous goods.
- ✓ Identify the labels and placards used for dangerous goods.
- ✓ Describe the legislated use of labels and placards.
- ✓ Identify the required documentation.
- ✓ Describe procedures for reporting incidents.

**Completion of this module does not constitute dangerous goods training for an employee.**



## **Dangerous Goods Regulations**

Dangerous goods are those that could cause harm to people, property or the environment.

Each day, numerous products defined as dangerous goods are shipped from one point to another within Canada, by road, railroad, air and water. With the significant numbers of dangerous goods in transport, there is a great potential for incidents to occur that would endanger human life and damage the environment.

Manufacturers, shippers, operators, terminals, users and governments need to work continually toward minimizing the risk of incidents during the transportation of dangerous goods, as well as the harm done when an incident does occur.

For this reason, governments established legislation that applies to all stages of dangerous goods movement. They have also set up inspection and enforcement programs to achieve compliance with the legislation.

In Canada, the federal government, and those of the provinces and territories, have enacted legislation to regulate the transportation of dangerous goods.

### **Training**

The dangerous goods legislation directs that no one shall handle, offer for transport or transport dangerous goods unless they are trained or in the presence, and under the direct supervision, of someone who has been trained.

It is the responsibility of each operator to make sure that employees and anyone driving the vehicles they are responsible for have the proper training necessary to transport or handle dangerous goods. When the operator believes that the employee has been adequately trained in relation to their duties for transporting dangerous goods, the operator must issue a training certificate to the employee.

The certificate must include the following information:

- The name and address of the operator
- The name of the employee
- The signature of the operator and employee
- The date of expiry
- The aspects of training that the employee has received

A certificate is valid for 36 months, and a copy must be kept at the operator's place of business for a period of two years after the expiry date.

Every trained person who transports dangerous goods is required by law to produce a certificate of training when requested by an inspector.

## **What is a Dangerous Good?**

Many products pose some danger while being transported, but dangerous goods are generally products that are inherently dangerous, whether or not they are in transport. Special precautions are called for to ensure safe transportation. The *Transportation of Dangerous Goods Act, 1992*, (*TDGA, 1992*) defines dangerous goods as “a product, substance or organism included by its nature or by the regulation in any of the classes listed in the schedule.”

The schedule to the *TDGA, 1992* identifies nine classes of dangerous goods. Manufacturers of dangerous goods, or products containing dangerous goods, cannot offer these for transport unless they have been properly classified. Each dangerous good falls within one of these nine classes. Some classes are further divided into divisions, in order to provide more information. The sub-class identifies additional dangers associated with the particular good within that general class.

## **Dangerous Goods on Buses**

Transportation of Dangerous Goods Regulations, in column nine of Schedule 1, gives the quantity limits for dangerous goods above which those dangerous goods must not be transported on a passenger-carrying road vehicle (bus). The quantity limit is expressed in kilograms for solids; litres for liquids; and, for gases, the capacity of the means of containment of the gases.

The word “Forbidden” in this column means that the dangerous goods must not be transported in any quantity on-board a bus. If no index number is shown, then there is no quantity limit. A few exceptions do exist: for example, dangerous goods that are required for the health and safety of passengers, such as medical oxygen.

Before transporting dangerous goods, bus operators should check the regulation for prohibitions and applicable exemptions.

## Classes of Dangerous Goods

### Class 1: Explosives

- Explosives, as included in the *Explosives Act*

### Class 2: Gases

- Compressed, deeply refrigerated, liquefied or dissolved under pressure

### Class 3: Flammable Liquids

- A liquid which has a closed-cup flash point not greater than 60°C.

### Class 4: Flammable Solids

- Flammable solids, meaning substances liable to spontaneous combustion, and substances that emit flammable gases upon contact with water

### Class 5: Oxidizing Substances and Organic Peroxides

- Substance which causes or contributes to the combustion of other material by yielding oxygen or other oxidizing substances or organic compounds which are strong oxidizing agents and may be liable to explosive decomposition, be sensitive to heat, shock or friction or react dangerously with other dangerous goods

### Class 6: Toxic and Infectious Substances

- A solid or liquid that is toxic through inhalation, by skin contact or by ingestion or Micro-organisms that are infectious or that are reasonably believed to be infectious to humans or animals.

### Class 7: Radioactive Materials

- Nuclear substances, within the meaning of the *Nuclear Safety and Control Act*, which are radioactive

### Class 8: Corrosives

- A substance that causes destruction of skin or corrodes steel or non-clad aluminum.

### Class 9: Miscellaneous Products, Substances or Organisms

- Miscellaneous products, substances or organisms considered by the Governor-in-Council to be dangerous to life, health, property or the environment when handled, offered for transport or transported

## Identification of Dangerous Goods and Communication of Hazards (Safety Marks)

The legislation prescribes labels and placards (safety marks) for each classification of dangerous goods, as well as information that must be included in documents required to accompany the consignment of the dangerous goods. The prescribed markings and

documentation are intended to communicate the nature of the danger to handlers and those responding to spills and incidents.

Generally, smaller packages are labelled, while larger shipments or goods that are shipped in a large means of containment are placarded. Transport units that are used must be placarded in accordance with the legislation, and the prescribed documents must accompany the consignment and be readily accessible.

Placards are a clear indication that a transport unit contains dangerous goods. When a collision or spill occurs that involves a transport unit, these placards alert responders to the presence and nature of the dangerous goods, which allows them to take the necessary precautions and actions.


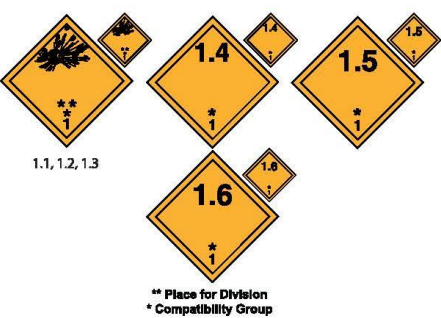




Responders may examine the contents of the transport unit to locate the particular consignment of dangerous goods, and examine the accompanying documentation to obtain more precise information.

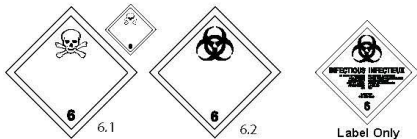
Generally speaking, prior to taking possession of a shipment of dangerous goods, you must ensure that you are in possession of a shipping document containing the prescribed information, and that the means of containment are displaying the required safety marks.

When placards are required to be displayed on a large means of containment, they must be displayed on each side and each end.

The placards must remain on the large means of containment until no hazard remains. Once the dangerous goods have been unloaded and no hazard remains, the placards must be removed.

If the dangerous-goods safety marks are lost, damaged or defaced during the trip, then the operator must replace them.


	Transport Canada	Transports Canada	The Marks of Safety	TP11504E 12/2014
			<b>CLASS 1 - Explosives</b> 1.1 A substance or article with a mass explosion hazard. 1.2 A substance or article with a fragment projection hazard, but not a mass explosion hazard. 1.3 A substance or article which has a fire hazard along with either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard. 1.4 A substance or article which presents no significant hazard; explosion effects are largely confined to the package and no projection or fragments of appreciable size or range are to be expected. 1.5 A very insensitive substance which nevertheless has a mass explosion hazard like those substances in 1.1. 1.6 An extremely insensitive article which does not have a mass explosion hazard.	
			<b>CLASS 2 - Gases</b> 2.1 Flammable Gases. <i>Commonly used as fuel (example: propane).</i> 2.2 Non-Flammable, Non-Toxic Gases. <i>Commonly used in food refrigeration (example: nitrogen).</i> 2.3 Toxic Gases. <i>Commonly used in pulp bleaching (example: sulphur dioxide).</i> 2.2(5.1) Oxygen and oxidizing gases. *Placard for UN1005, Anhydrous Ammonia only.	
			<b>CLASS 3 - Flammable Liquids</b> A liquid which has a closed-cup flash point less than or equal to 60°C. <i>Commonly used as fuel (example: gasoline, ethanol, fuel oil (diesel)).</i>	
			<b>CLASS 4 - Flammable Solids, Substances liable to spontaneous combustion; Substances that on contact with water emit flammable gases (water-reactive substances)</b> 4.1 A solid that under normal conditions of transport is readily combustible, or would cause or contribute to fire through friction or from heat retained from manufacturing or processing, or is a self-reactive substance that is liable to undergo a strongly exothermic reaction, or is a desensitized explosive that is liable to explode if not diluted sufficiently to suppress their explosive properties. <i>Commonly used in lacquers (example: naphthalene).</i> 4.2 A substance liable to spontaneous combustion, under normal conditions of transport, or when in contact with air, liable to spontaneous heating to the point where it ignites. <i>Commonly used in rocket fuel (example: sodium hydrosulphite).</i> 4.3 A substance that, on contact with water, emits dangerous quantities of flammable gases or becomes spontaneously combustible on contact with water or water vapour. <i>Commonly used in heat exchangers (valves) (example: sodium).</i>	
			<b>CLASS 5 - Oxidizing Substances and Organic Peroxides</b> 5.1 A substance which causes or contributes to the combustion of other material by yielding oxygen or other oxidizing substances whether or not the substance itself is combustible. <i>Commonly used in fertilizers (example: ammonium nitrate).</i> 5.2 An organic compound that contains the bivalent “-O-O-” structure which is a strong oxidizing agent and may be liable to explosive decomposition, be sensitive to heat, shock or friction or react dangerously with other dangerous goods. <i>Commonly used in automobile body shops as body filler (example: dibenzoyl peroxide).</i>	



**CLASS 6 - Toxic Substances and Infectious Substances**

6.1 A solid or liquid that is toxic through inhalation, by skin contact or by ingestion.  
*Commonly used as a germicide or general disinfectant (example: phenol).*


6.2 Micro-organisms that are infectious or that are reasonably believed to be infectious to humans or animals.  
*Commonly used in disease research (example: rabies virus).*



**CLASS 7 - Radioactive Materials**


Substances defined as Class 7, Radioactive Materials in the Packaging and Transport of Nuclear Substances Regulations.  
*Commonly used in nuclear fuel rods (example: radioactive material - LSA (yellow cake)).*

There are three categories which indicate the surface radiation level for a package with Category I being the lowest level and Category III the highest.




**CLASS 8 - Corrosives**

A substance that causes destruction of skin or corrodes steel or non-clad aluminum.  
*Commonly used in batteries and industrial cleaners (example: sulphuric acid and sodium hydroxide).*




**CLASS 9 - Miscellaneous Products, Substances or Organisms**


A substance that does not meet the criteria for inclusion in Classes 1 to 8, but is nonetheless a dangerous good in transport. This includes marine pollutants (environmentally hazardous substances) and elevated temperature materials.  
*Examples are dry ice, asbestos and lithium batteries.*




Mark for Category B infectious substances, UN3373




Orange Panel



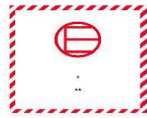
Mixed Load Shipment




Marine Pollutant Mark



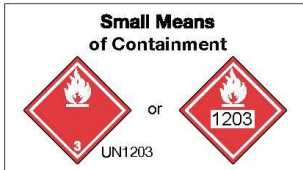
Elevated Temperature Sign




Excepted Quantities Mark




Fumigation Sign




Small Means of Containment

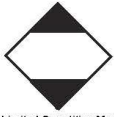


Large Means of Containment

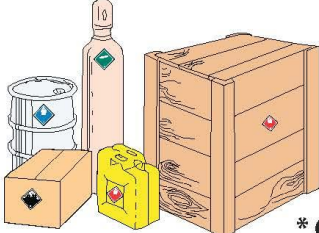


Limited Quantities Mark





Limited Quantities Mark (ICAO Technical Instructions)




**In Case of Emergency**

**CANUTEC**

**(Call Collect 24 hours)**

**(613) 996-6666**

**\* 666 for cellular phones (in Canada only)**



## Accompanying Documentation

When a shipping document is required to accompany the dangerous goods, it must be kept within arm's reach of the driver. When the driver is not in the cab, the documents must be on the driver's seat, in the pocket on the driver's door or in a clearly visible position.

One of the most important sources of information for a first responder to an accident is the dangerous goods documentation. The document outlines the dangerous goods you are carrying in a specific order, in which the first responders are trained.

When a parked trailer carrying dangerous goods is not attached to the tractor, the person in charge of the parking area must keep one copy of the documents. Or, if there isn't anyone in charge of the parking area, place a copy of the documents in a waterproof container attached to the trailer, where it is easily identifiable and accessible. Though there are other options available to leave documentation; the ones above are most commonly used.

If the quantity of dangerous goods changes while in transport, the person in control of the vehicle must indicate this, so that the document reflects the amount of dangerous goods in the vehicle.

## Shipping Document

A shipping document must, at minimum, include the following information for transportation by road:

- Legible and clear, “dangerous goods” highlighted over other freight
- Name and address of Consignor (Canadian)
- Date the document prepared
- Description of DG in following order
  - UN Number
  - Shipping name
  - (technical name) Special Provision 16
  - Primary class
  - Compatibility group – (explosives Class 1 only)
  - Subsidiary class in parentheses
  - Packing Group (roman numeral)
  - “Toxic by Inhalation” or “toxic – inhalation hazard” Special Provision 23

- Quantity of Dangerous Goods / NEQ – Explosives (metric)
- Number of small means of containment
- 24 Hour phone number
- Residue last contained
- Declining balance
- ERAP number and activation telephone number (if required)
- Consignor's Certification

## Reporting Incidents

In the event of an accidental release of dangerous goods from a means of containment, a person who has possession of them at the time must make an immediate report to the following people, if the accidental release consists of a quantity of dangerous goods or an emission of radiation that is greater than the quantity or emission level set out in the table in Part 8 of the Regulation:

1. The local police
2. The owner of the vehicle
3. Your employer
4. The person or company that owns the consignment of the dangerous goods (consignor as per *TDG Clear Language*)
5. CANUTEC, in the event of an accidental release of Class 1, 6.2, or a catastrophic failure of a gas cylinder

The driver's employer must submit a 30-day follow-up report to the Director General, Transport Dangerous Goods Directorate, Transport Canada (if you were required to make an immediate report of an accidental release of dangerous goods as per Section 8.1 of the regulations).

## Prosecutions

Prosecutions are undertaken for violations of the *Dangerous Goods Transportation Act*. Penalties include fines of up to \$50,000 for first offences, up to \$100,000 for second offences, and up to two years imprisonment for indictable offences.



## More Information

### Emergency Numbers

CANUTEC (613) 996-6666  
M.O.E. Spills Action Centre 1-800-268-6060  
Canadian Nuclear Safety Commission (613) 995-0479

### Information Numbers

CANUTEC (613) 992-4624  
M.O.E. Spills Action Centre 1-416-325-3011  
Canadian Nuclear Safety Commission 1-800-668-5284  
Hazardous Waste Information Network (M.O.E) 1-866-494-6663  
Ontario Ministry of Transportation 1-800-387-7736

### Links

The [Transportation of Dangerous Goods Act \(Federal\)](#)  
The [Dangerous Goods Transportation Act](#)

# Commercial Vehicle Operators’ Safety Manual

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## Module 11 – Vehicle Weights and Dimensions

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## Overview

The Commercial Safety and Compliance Branch of the Ministry of Transportation of Ontario has prepared this guide to assist and ensure that truck and bus companies (commercial vehicle operators) operate safely and are compliant with the regulations that govern highway use. Ontario, other provinces, the Government of Canada and the transportation industry developed the rules and regulations to help reduce the number and severity of collisions. Each jurisdiction has used the National Safety Code standards as guides in drafting their own transportation safety legislation. This approach promotes uniformity across Canada and helps to ensure that the transportation industry remains as viable and sustainable as possible.

This guide applies to Ontario operators of commercial motor vehicles that are:

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- Buses with a manufactured seating capacity of 10 persons or more, excluding the driver
- Accessible vehicles and school purposes vehicles, depending upon use

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## Vehicle Weights and Dimensions - Learning Objectives

As you work through this module, you will be able to:

- ✓ Understand the need for overweight and oversize permits.
- ✓ Describe carrier responsibilities.
- ✓ Identify legal dimensions and weights.
- ✓ Determine which vehicles require permits and the specific conditions that apply.
- ✓ Identify the types of permits available.
- ✓ Obtain the latest road information, through the Traveller's Information Website.
- ✓ Obtain information on safe, productive, infrastructure-friendly (SPIF) vehicles.

## Ministry of Transportation Permits

The Ontario Ministry of Transportation (MTO) monitors, controls and issues permits for the movement of vehicles or combination vehicles that do not comply with dimensional limits under the *Highway Traffic Act*. MTO establishes maximum weight and dimension limits for any vehicle using public roads, and makes provisions for the movement of oversize and overweight loads by issuing permits. This is done for the following purposes:

- To ensure the safety of the travelling public
- To minimize the inconvenience to the travelling public
- To minimize damage to the roadway infrastructure
- To facilitate the movement of commodities that are non-divisible, deemed impractical to divide or uneconomical to transport at legal dimensions
- To establish and communicate to the operator a set of conditions for the safe movement of the load
- To prevent damage to the operator's vehicles and load

## Responsibilities

It is the responsibility of the carrier to consult the legislation for the exact requirements and to obtain all required permits before moving any oversize or overweight shipment. MTO's Oversize/Overweight Permit Office is not responsible for any omissions in these documents. Further, MTO is not responsible for incomplete, inaccurate or missing permits.

Descriptions of vehicle types, with detailed, current legal dimensions and oversize/overweight vehicle and loads, are both available on the MTO website:

[Oversize/Overweight Vehicles and Loads in Ontario](#)

[Safe, Productive and Infrastructure-Friendly Vehicles](#)

## Legal Dimensions (Size)

Width: 2.6 metres (8' 6")

Height: 4.15 metres (13' 6")

Length:

- Single Vehicle 12.5 metres (41'0")
- Truck-tractor and semi-trailer(s) 23.0 metres (75'6")
- Truck and towed trailer(s) in combination 23.0 metres (75'6")

## Legal Weights

MTO establishes maximum vehicle weights to preserve highway infrastructure and ensure public safety. Legal weights are dependent on a variety of factors, including the number of axles and so on.

Vehicle weights and dimensions are detailed in [Regulation 413/05](#) of the *Highway Traffic Act*.

## Oversize/Overweight Permit Process

Permits are required for the movement of vehicles and their loads that exceed the legal weights. Conditions are applied to the permits to minimize infrastructure damage and enhance public safety.

Permits are required for the movement of vehicles and loads that exceed the legal dimensions.

To obtain more information about oversize/overweight vehicles, contact the Oversize/Overweight Permit Office:

From Ontario, 1-800-387-7736

From out of province, (416) 246-7166

Fax-in permit request, (905) 704-2545

Prior to obtaining an over-dimensional permit, there may be other requirements that must be met in order to travel in Ontario (for example, Commercial Vehicle Operator's Registration, National Safety Code and so on).

There are four types of permits that the ministry issues:

- Annual
- Project
- Single trip
- Special vehicle configuration

Each oversize/overweight permit will have specific conditions attached, and these must be adhered to strictly. The permit may be terminated for breach of any condition, and the permit-holder may be subject to prosecution.

A permit grants the movement of oversize/overweight loads only on highways under provincial jurisdiction. Municipalities may accept ministry permits or issue their own for highways under their jurisdiction. The carrier **must** contact appropriate municipalities to ensure compliance with the local bylaws.

For further information, go to the [Oversize/Overweight Guide](#) or contact:

Oversize/Overweight Permits  
 301 St. Paul Street, 3rd Floor  
 St Catharines, ON L2R 7R4  
 Tel: 1-800-387-7736 (within Ontario only) or 416-246-7166

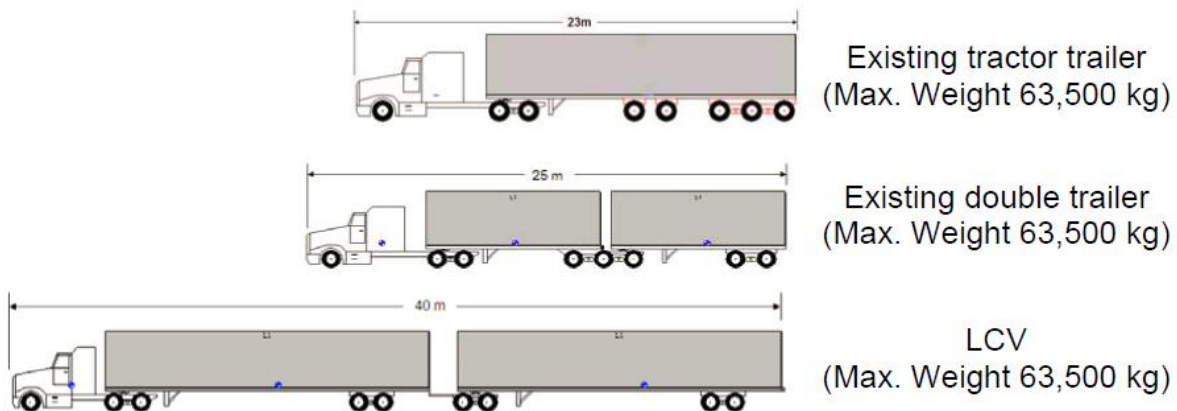
## Long Combination Vehicle (LCV) Permits and Routes

In Canada, any combination of vehicles over 25 metres overall length is considered to be an LCV. Ontario LCVs are made up of a tractor pulling two full-length semi-trailers up to 40 metres in overall length.

LCV Program has established stringent program conditions governing operators, drivers, special LCV equipment and LCV operations. The conditions are specific, and structured to achieve safety, environmental and economic objectives for the program.

Participating operators are responsible for verifying that drivers and instructors meet the specified qualifications, training and experience, and have obtained an Ontario Trucking Association (OTA) issued certificate. This includes ensuring that:

- LCV drivers are proven safe and reliable tractor trailer operators with a minimum of 5 years of experience.
- All LCV drivers successfully complete specified LCV driver training that includes classroom, yard and on-road training and evaluation including at least 1,000 km of practical LCV experience.
- LCV instructors have at least 10,000 km of LCV experience.



Operators are required to enter into a Memorandum of Understanding (MoU) with the Ministry of Transportation signifying that the operator accepts responsibilities as outlined in the program conditions. All approved operators must maintain a satisfactory Carrier Safety Rating, not just in their LCV operations, but in all their operations.

Strict guidelines detailing the vehicle configuration, dimensions and weight allowances are specified in the permit conditions. LCVs cannot be heavier than single tractor-trailers. LCVs are required to have special equipment including horsepower minimums, on-board speed recording devices, anti-lock braking systems (ABS), additional lighting, rear signage and electronic stability control (ESC).



LCV permits have specific and detailed operating restrictions that outline where and when participants may operate these vehicles. Permit conditions outline that LCVs may only operate on approved routes, must not detour off approved routes for any reason, including for road closures, and must not operate on any routes on the evening preceding and the last evening of long weekends.

LCVs must not exceed a speed of 90 km/h, and must not travel in the Greater Toronto Area or parts of the Ottawa area during morning and afternoon rush hours. LCVs are not permitted to carry livestock or dangerous goods requiring a placard. LCVs must not operate during inclement weather, poor visibility or poor road conditions.

Information on this program can be found on [MTO's website](#).

## **Safe, Productive, Infrastructure-Friendly (SPIF) Vehicles**

As the name implies, SPIF vehicles are designed to be as productive as possible, while ensuring that their performance characteristics meet or exceed national guidelines for minimizing heavy-truck damage to roads and bridges.

*Highway Traffic Act* regulations are now causing a migration to 31 SPIF alternatives. Each has its own schedule in the regulation describing the vehicle, its axles, suspension and other required equipment, as well as required dimensions and allowable weights. SPIF vehicles can have any body style and carry any commodity. There are no weight reductions for carrying products like sand or gravel.

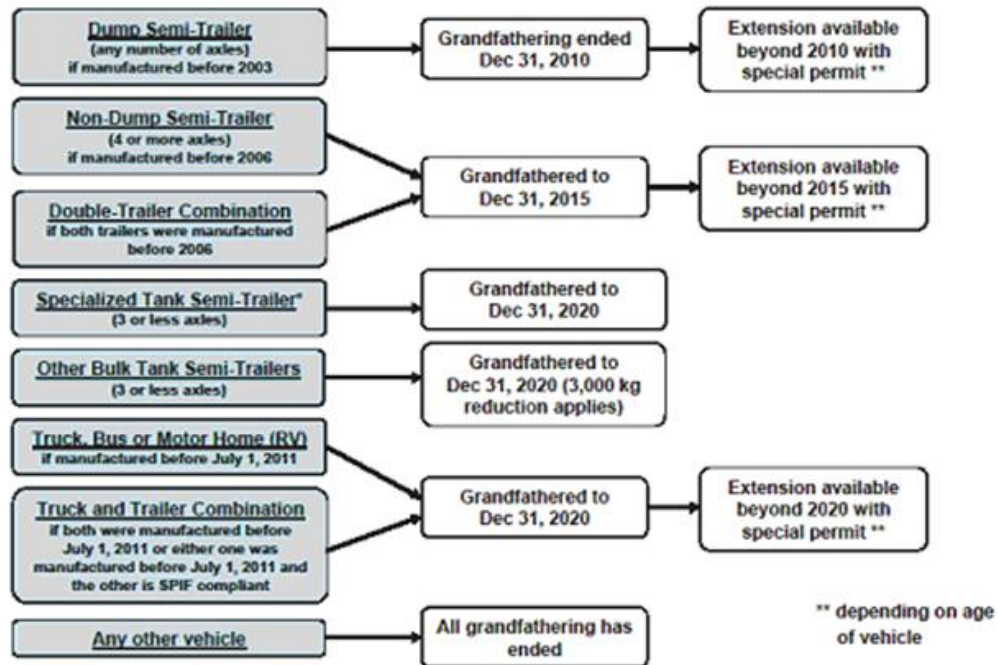
These vehicles provide superior stability and control, and can operate within acceptable amounts of space when turning or making emergency manoeuvres. In addition, the heavy five- and six-axle SPIF semi-trailers are equipped with an enhanced braking system to minimize the risk of failure and warn the driver of potential problems.

Characteristics of SPIF vehicles are carefully prescribed and include that the vehicles must be:

- Equipped with fixed axles, or a combination of fixed and self-steering axles, that do not need to be raised for cornering
- Able to automatically distribute weight over all axles to minimize infrastructure wear
- Tested against national performance targets to ensure satisfactory stability and control, and reduced risk of rollovers and jack-knives

The following flowchart will aid in determining the grandfathering of your particular vehicle:

## Are Gross Weights on non-SPIF Vehicles Grandfathered?



## More Information

The amended Ontario Regulation 413/05 of the *Highway Traffic Act*, titled Vehicle Weights and Dimensions – for Safe, Productive and Infrastructure-Friendly Vehicles, is available through the [e-laws website](#).

Non-SPIF vehicles, excluding 53-foot semi-trailers and other long tractor-trailer combinations, can legally operate in Ontario at reduced gross vehicle weights under what is now a vehicle weights and dimensions, two-tier system.

# Commercial Vehicle Operators' Safety Manual

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## Module 12– Driver and Vehicle Licensing

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## Overview

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## **Driver and Vehicle Licensing – Learning Objectives**

As you work through this module, you will be able to:

- ✓ Describe the vehicle registration requirements.
- ✓ Identify the types of vehicles that can be operated by a holder of each licence class.

## Vehicle Registration Requirements

In Ontario, an operator may register commercial vehicles (power units) with a wide range of registered gross weights and or different declarations. Each type of plate provides for different uses and exemptions. It is crucial that operators register their vehicles appropriately. Failure to do so may result in the operator being charged with an offence and/or having their vehicle detained until proper registration is obtained.

The following is a summary of what uses are authorized under each type of plate. This is an unofficial version of Government of Ontario legal materials. For accurate reference, refer to the official volumes. The *Highway Traffic Act* and regulations made under the act may be viewed on the [E-laws website](#).

### Commercial Vehicle Registration

Section 1(1) of the *Highway Traffic Act* defines a commercial motor vehicle as follows:

“commercial motor vehicle” unless otherwise defined by regulation, means a motor vehicle having attached to it a truck or delivery body and includes an ambulance, a hearse, a casket wagon, a fire apparatus, a bus and a tractor used for hauling purposes on a highway.

Most commercial motor vehicles must display a plate that has a white background and black lettering. These plates will normally contain two alpha characters with four or five numeric characters. You can use personalized or graphic-design plates, but need to ensure that they are classified as commercial on the registration.

The plates for a commercial motor vehicle have to be displayed on the front and rear of the vehicle in a clear and conspicuous location. The validation device must be put on the front plate in the upper right corner. The crown on the plate cannot be covered or obscured by any material.

Unlike personal vehicles, a commercial motor-vehicle validation device expires the last day of the month that is shown on it.

If the commercial motor vehicle is used to travel outside of Ontario, the operator may be required to obtain prorated plates. Prorated plates are similar to regular commercial motor- vehicle plates, but display the letters PRP on them. More information on prorated plates and the International Registration Program can be found at:

[www.mto.gov.on.ca/english/trucks/irp/index.shtml](http://www.mto.gov.on.ca/english/trucks/irp/index.shtml)

## Registered Gross Weight

To determine the registered gross weight for a commercial motor vehicle, the weight of a trailer must be added to the weight of the commercial motor vehicle, if the trailer transmits to the highway a weight greater than 2,800 kilograms. The commercial motor vehicle is then registered for the total gross weight of the towing vehicle and trailer combined.

To determine the registered gross weight of a school bus, in kilograms, multiply the seating capacity of the bus by 40 and add it to the empty weight of the bus. The total will be the registered gross weight.

To determine the registered gross weight of a bus, other than a school bus, in kilograms, multiply the seating capacity of the bus by 60 and add it to the empty weight of the bus. The total will be the registered gross weight.

The fee tables to determine the cost for validation on commercial motor vehicles, farm vehicles and buses are found in [Ontario Regulation 628 \(Vehicle Permits\)](#).

Vehicles that operate in excess of their registered gross weight are subject to penalty under *HTA* 121(1).

## Vehicle Licence Plates

### Farm Plates

Effective January 1, 2015, new requests for farm plates will require the farmer to provide one of four pieces of documentation to demonstrate they have a farm business.

- An accredited farm organization membership card;
- A Gross Farm Income Exemption Certificate;
- An exemption letter from the Agricultural, Food and Rural Affairs Tribunal; or
- A letter from Agricorp.

A farmer renewing their farm plates will not have to provide documentation to demonstrate they have a farm business.

Farm plates have reduced fees and are subject to certain restrictions.

### Use of farm plates

Farm-plated trucks and towed trailers may be used for the transportation of farm products, commodities, supplies, equipment, and building and maintenance items



owned by the farmer. Items include the trucking of gravel, rocks, sand and lumber to a farm for use on the farm.

A farmer may only charge a fee to another farmer for trucking these items during the months of September, October and November.

Farm-plated trucks and towed trailers may also be used for the farmer's personal transportation – including the movement of personal effects such as household and hobby effects, as well as recreational and pleasure use.

### **Prohibited use of farm plates**

Vehicles transporting logs, pulpwood or rocks from a forest, quarry or mine cannot use farm plates.

#### *Farm plates and logs/lumber*

The cutting of trees for purposes of production of paper by pulp mills, or for purposes of processing these logs for lumber, is a forestry operation. If it is demonstrated that the transportation of these items is to supply the farm, then farm plates may be used.

#### *Farm plates and rocks/sand/gravel*

The removal of rocks or stone is a mining or quarry operation and not related to the tilling or production of an agricultural product by a farmer. If it is demonstrated that the transportation of these items is to supply the farm, (for example, laneways, building construction, soil erosion), then farm plates may be used.

### **Dealer Plate and Service Plate**



Dealer Plate/Permit

Ontario motor-vehicle dealers licensed under the *Motor Vehicle Dealers Act* are eligible for the dealer plate/permit. This is a single portable plate with the word "DEALER" on the left side and red alpha-numeric characters on a white background.

It is for exclusive use by motor-vehicle dealers, and only on those owned as part of the dealer's inventory of vehicles for sale. It may be used privately in Ontario, or for purposes related to the sale of motor vehicles owned as part of the dealer's inventory of those for sale. Commercial motor vehicles operating under the authority of a dealer plate must not be laden (with a load).



### **Service Plate/Permit**

Service providers, including anyone who repairs, customizes, modifies, manufactures or transports motor vehicles or trailers, will use the service plate/permit. This will indicate the service class of "SPR."

A service plate may be used:

- On a trailer or motor vehicle, other than a motorcycle or motor-assisted bicycle, for purposes related to the repair, road testing, customization or modification of the vehicle, if it is in the possession of the person to whom the service plate is issued
- For the purpose of transporting the vehicle by a person engaged in that business
- For the purpose of towing the vehicle by a person engaged in the business of transporting vehicles
- For purposes related to the manufacturing or sale of a trailer
- For the purpose of towing a vehicle to a location where its load will be removed or to an impound facility

Commercial motor vehicles and trailers operating under the authority of a service plate must not be laden, unless the vehicle is being towed to an impound facility.

***Private use of motor vehicles or trailers with a service plate is not permitted.***

**If the commercial motor vehicle is being operated in other jurisdictions, refer to the information in the Module 2, Getting Started, to determine if the vehicle is required to have an International Registration Plan (IRP) Cab Card.**

## Driver Licensing Requirements

### Licence types

In Ontario, there are 15 different licence classes. Each one qualifies a driver to drive a different type of vehicle. The class of licence have must match the type of vehicle driven. See the chart below for the class of licence required for different vehicle types. A driver may hold a licence in more than one class, but never hold more than one driver's licence. The operator must ensure that drivers are properly licensed for the vehicles they drive.

Class of Licence	Types of Vehicles Allowed	May Also Drive Vehicle in Class
<b>A</b>	Any tractor trailer or combination of motor vehicle and towed vehicles where the towed vehicles exceed a total gross weight of 4,600 kilograms	D, G and A with condition (R)
<b>A with condition (R)</b>	Drivers with a restricted Class A licence condition would be prevented from operating: - a motor vehicle pulling double trailers - a motor vehicle pulling a trailer with air-brakes.	D and G
<b>B</b>	Any school purposes bus with designed seating capacity for more than 24 passengers	C, D, E, F and G
<b>C</b>	Any regular bus with designed seating capacity for more than 24 passengers	D, F and G
<b>D</b>	Any truck or motor-vehicle combination exceeding 11,000 kilograms (actual gross weight or registered gross weight), provided the towed vehicle is not over 4,600 kilograms	G
<b>E</b>	School purposes bus – maximum of 24-passenger capacity	F and G
<b>F</b>	Regular bus – maximum of 24-passenger capacity – and ambulances	G
<b>G</b>	Any car, van or small truck, or combination of vehicle and towed vehicle, up to 11,000 kilograms, provided the towed vehicle is not over 4,600 kilograms, but not: - a motorcycle or motor assisted bicycle - a bus carrying passengers - an ambulance in the course of providing ambulance service as defined in the <i>Ambulance Act</i>	

<b>Class of Licence</b>	<b>Types of Vehicles Allowed</b>	<b>May Also Drive Vehicle in Class</b>
<b>G1</b>	Level 1 of graduated licensing – holders may drive Class G vehicles when accompanied by a fully licensed driver with at least four years of driving experience. Additional conditions apply	
<b>G2</b>	<p>Level 2 of graduated licensing – holders may drive Class G vehicles without an accompanying driver, but are subject to certain conditions:</p> <ul style="list-style-type: none"> <li>- The number of young passengers that teen G2 drivers can carry will be limited from midnight to 5 a.m.</li> <li>- Initially, G2 drivers 19 or under can carry only one passenger aged 19 or under</li> </ul> <p>After the first six months, and until the G2 driver earns a full G licence or turns 20, they can carry only three passengers aged 19 or under</p>	
<b>M</b>	Motorcycles, including a limited-speed motorcycle (motor scooter) and a motor-assisted bicycle (moped). Holders may also drive a Class G vehicle under the conditions that apply to a class G1 licence-holder	M with condition L (motor scooters and mopeds)
<b>M1</b>	Motorcycles, including a limited-speed motorcycle (motor scooter) and a motor-assisted bicycle (moped). Level 1 of graduated licensing. Holders may drive a motorcycle under certain conditions	M with condition L (motor scooters and mopeds)
<b>M2</b>	Motorcycles, including a limited-speed motorcycle (motor scooter) and a motor-assisted bicycle (moped). Level 2 of graduated licensing. Holders may drive a motorcycle, but only with a zero blood-alcohol level. Holders may also drive a Class G vehicle under the conditions that apply to a class G1 licence-holder	M with condition L (motor scooters and mopeds)
<b>M with condition L (LSM/Moped)</b>	<p>Limited-speed motorcycle or mopeds only.</p> <p>Limited-speed motorcycles are motorcycles with a maximum speed of 70 km/h. If manufactured after 1988, they are identified by a label on the vehicle that indicates it is a "LSM/MVL."</p>	

Class of Licence	Types of Vehicles Allowed	May Also Drive Vehicle in Class
<b>M2</b> with condition <b>L</b> (LSM/Moped)	Limited-speed motorcycle (LSM) or moped only	

Driver-licence testing is done by [DriveTest](#) offices throughout the province. General information on driver licensing can be on the [MTO website](#).

### Air Brakes

Any driver operating a vehicle equipped with a full air-brake system, or air-over-hydraulic brake system, is required to have an endorsement on their driver's licence. In Ontario, this is called a "Z" endorsement.

### Exemptions

A driver of a class D commercial motor vehicle that is registered with farm plates carrying farm products, supplies or equipment not for compensation, or being used for personal use is required only to have a Class G licence.

A truck or auto technician with a minimum Class G licence is allowed to operate any higher class of vehicle for the purposes of road testing, including a vehicle with air brakes.

A driver of a tow truck towing a disabled vehicle is exempt from a Class A driver's licence, provided that they have the appropriate licence to drive the tow truck.

# Commercial Vehicle Operators' Safety Manual

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## Overview

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## Operating Authority

### The role of the Ontario Ministry of Transportation

The Ministry of Transportation promotes and monitors the safe operation of all people operating vehicles, including those who provide transportation services using commercial motor vehicles. This ensures that all vehicles are licensed and operate in accordance with provincial legislation. It is essential for this important sector of Ontario's economy to continue to achieve the highest safety standards.

### Passenger transportation services

People providing a passenger transportation service in a commercial motor vehicle may require a public-vehicles licence.

A licence is not required by a passenger transportation service that is operated within one municipality.

A public-vehicle licence can be obtained from the Ontario Highway Transport Board (OHTB). This licence authorizes a person to operate a commercial vehicle for hire, to transport passengers. The services requiring a public-vehicles licence may include:

- Charter (site-seeing and tours)
- Scheduled services (services provided between two locations on a scheduled basis)
- Industrial (providing a transportation service under a contract for more than 30 days)

Information on the OHTB can be found at: [www.ohtb.gov.on.ca/](http://www.ohtb.gov.on.ca/)

Ontario Highway Transport Board  
151 Bloor Street West, 10<sup>th</sup> Floor  
Toronto, ON M5S 2T5  
Canada

Telephone: (416) 326-6732  
Fax: (416) 326-6738  
e-mail: [ohtb@mto.gov.on.ca](mailto:ohtb@mto.gov.on.ca)

The *Public Vehicles Act* can be found on the [E-Laws](#) website.



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## Cargo Securement – Learning Objectives

As you work through this module, you will be able to:

- ✓ Obtain your own copy of the National Safety Code Standard 10, Cargo Securement.
- ✓ Understand the application of the performance criteria that all cargo-securement systems must be capable of meeting.
- ✓ Understand the relationship between the general securement rules and those rules for specific commodities.
- ✓ Identify commodities that have specific cargo-securement requirements, in addition to the general requirements.
- ✓ Identify possible training sources that may help you ensure compliance to Ontario's *Highway Traffic Act* and National Safety Code Standard 10.

## Background

Load-securement requirements are found in Section 111 of the *Highway Traffic Act* (HTA) and in Ontario Regulation 363/04. This regulation adopts National Safety Code (NSC) Standard 10, Cargo Securement, as the standard for securing loads in Ontario.

The intent of this national standard is to:

- Reduce the number of accidents caused by cargo shifting or falling from commercial vehicles.
- Harmonize to the greatest extent practicable US, Canadian and Mexican cargo-securement regulations.

A copy of the National Standard is available on the [CCMTA website](#)

## Application of the Regulations

Cargo-securement standards apply to all types of cargo, except items exempt from Division 3 of NSC Standard 10. These exemptions include commodities in bulk that lack structure or fixed shape (for example liquids, gases, grain, liquid concrete, sand, gravel, aggregates), and that are transported in a tank, hopper, box or similar device forming part of the structure of a commercial motor vehicle.

However, Section 111(2) of the HTA makes it an offence if any load or portion of the load may become dislodged or fall, leak, spill or blow from the vehicle.

Cargo-securement requirements apply to all operators transporting goods on Ontario highways, regardless of weight. This section specifies that the goods must be secured so the vehicle can be operated safely when loaded.

## Performance Criteria

The requirements included in NSC Standard 10 require all cargo-securement systems to withstand specified minimum amounts of force in the forward, rearward, sideways and downward directions.

Generally, operators are not required to conduct testing of cargo-securement systems to determine whether they comply with the performance requirements. The standard states clearly that cargo secured according to the general rules and the commodity-specific rules is considered to meet the specified performance criteria.

## **Requirements for Securement Devices**

Cargo-securement standards require that all devices and systems used to secure cargo to, or within, a vehicle must be capable of meeting the performance criteria. All vehicle structures, systems, parts and components used to secure cargo must be in proper working order when in use. This means that they cannot be damaged or weakened, so as to affect their performance.

The cargo-securement standard has a reference for manufacturing standards for certain types of tie-downs, including steel strapping, chain, synthetic webbing, wire rope, and cordage. Changes in the references do not necessarily mean that the older securement devices need to be replaced.

### **Proper Use of Tie-Downs**

Each tie-down must be attached and secured so that it doesn't become loose, unfastened, opened or released while the vehicle is moving. All tie-downs and other components of a cargo-securement system must be located inside any rub rails, whenever practical. Also, edge protection must be used whenever a tie-down would be subject to wear or cutting at the point where it touches an article of cargo. The edge protection must resist wear, cutting and crushing.

### **Use of Unmarked Tie-Downs**

The cargo-securement standards do not allow the use of a tie-down, or component of a tie-down, to secure cargo to a vehicle unless it is marked by the manufacturer with respect to its working load limit.

### **Unrated and Unmarked Anchor Points on Commercial Vehicles**

The cargo-securement rules do not require the rating and marking of anchor points on a vehicle or on cargo. While vehicle manufacturers are encouraged to rate and mark anchor points, the new rules do not include this as a requirement.

### **Front-End Structures on Commercial Vehicles**

Rules concerning front-end structures or header boards are included in NSC Standard 10, and cover commercial vehicles transporting cargo that is in contact with the front-end structure of the vehicle.

## **Summary of Cargo-Securement Standards**

The national standard is comprised of general provisions for all cargo and other securement requirements for specific types of cargo such as logs, dressed lumber, metal coils, concrete pipe and paper rolls. The other securement requirements for specific cargo is applied, in addition to the general requirements.

Securement systems or devices used to secure cargo on a vehicle must meet the performance criteria within the standard and prevent cargo from moving or shifting on the vehicle when it is subjected to forces caused by accelerating, braking, emergency lane changes, cresting a hill or any event up to, but short of, a crash.

Securement systems are considered compliant with the national standard, provided that they meet the general provisions and any requirements for specific types of cargo. Tie-downs, blocking, bracing and friction mats are common devices used to secure cargo, and must meet the aggregate working-load limit and minimum tie-down requirements in the standard.

## **General Securement Requirements**

Cargo must be secured firmly on or within a vehicle by:

- Structures of adequate strength
- Dunnage (loose materials used to support and protect cargo) or Dunnage bags (inflatable bags intended to fill space between articles of cargo or between cargo and the wall of the vehicle)
- Shoring bars
- Tie-downs
- A combination of the above

## **Cargo Placement and Restraint**

Articles of cargo that are likely to roll must be restrained by chocks, wedges, a cradle or other equivalent means to prevent rolling. They must remain fastened or secured while the vehicle is moving.

Articles of cargo placed beside each other and secured by tie-downs placed across the cargo must be:

- Placed in direct contact with each other
- Prevented from shifting toward each other while the vehicle is moving

## Minimum Working-Load Limits

The aggregate working-load limit of the tie-downs used for an article or a group of articles of cargo must be at least 50 percent of the weight of that article or group of articles.

The aggregate working-load limit is the sum of:

- The working load limit for each tie-down that goes from an anchor point on the vehicle to an attachment point on an article of cargo (direct tie-down)
- PLUS
- The working-load limit for each tie-down that goes from an anchor point on the vehicle, through or over the cargo, and then attaches to another anchor point on the vehicle (indirect tie-down)

## Minimum Number of Tie-Downs

The cargo-securement system used to secure cargo must consist of the minimum required number of tie-downs. This requirement is in addition to complying with rules concerning the aggregate working load limit.

When an article of cargo is not blocked or positioned to prevent movement in the forward direction, the number of tie-downs needed depends on the length and weight of the articles.

There must be at least:

- One tie-down for articles 1.52 metres or less in length, and 500 kilograms or less in weight
- Two tie-downs if the article is:
  - 1.52 metres (five feet) or less in length and more than 500 kilograms (1,100 lb.) in weight
  - Greater than 1.52 metres (five feet) but less than 3.04 metres (10 feet), regardless of weight

For example, one tie-down is required if the article of cargo is 1.52 metres in length (five feet) and does not exceed 500 kilograms (1,100 lb). If the article of cargo is greater than 1.52 metres in length but less than 3.04 metres, then two tie-downs would be needed, regardless of the weight.

When an article of cargo is not blocked or positioned to prevent forward movement and the item is longer than 3.04 metres (10 feet) in length, then it must be secured by:

- Two tie-downs for the for the first 3.04 metres (10 feet) of cargo
- One tie-down for each additional 3.04 metres (10 feet) or fraction thereof

If an article is blocked or braced by a header board, bulkhead or other articles that are adequately secured to prevent forward movement, then it must be secured by at least:

- One tie-down for every 3.04 metres of article length, or fraction thereof

### **Special Rule for Special-Purpose Vehicles**

Generally, the basic rules concerning the minimum number of tie-downs do not apply to a vehicle transporting one or more articles of cargo such as machinery or manufactured structural items (for example, steel or concrete beams, crane booms, girders, trusses and so on), which because of their design, size, shape or weight must be secured by special methods.

However, any article of cargo carried on that vehicle must be adequately secured by devices that are capable of meeting the performance requirements and the working-load limit requirements.

### **Commodity-Specific Securement Requirements**

Detailed requirements have been adopted for the securement of the following commodities:

- Logs
- Dressed lumber
- Metal coils
- Paper rolls
- Concrete pipe
- Inter-modal containers
- Small vehicles (under 4,500 kg)
- Heavy vehicles
- Crushed vehicles
- Roll-on/roll-off or hook-lift containers
- Large boulders



For the complete securement requirements for these specific commodities, refer to NSC Standard 10.

## **1. Logs**

The commodity-specific rules for securing logs apply to the transportation of almost all logs, with the following exceptions:

- Loads that consist of no more than four logs may be transported using the general cargo-securement rules
- Firewood, stumps, log debris and logs may be transported in a vehicle or container enclosed on all sides and strong enough to contain them

## **2. Dressed Lumber and Similar Building Products**

The rules in this section apply to the transportation of bundles of dressed lumber, packaged lumber or building products such as plywood, gypsum board or other materials of similar shape.

Building products that are not bundled or packaged must be treated as loose items and transported using the general cargo-securement rules. For the purpose of this section, the term "bundle" refers to packages of lumber, building materials or similar products that are unitized for securement as a single article of cargo.

This section does not apply to building products loaded on pallets or to packages of engineered wood products such as beams or trusses. Dressed lumber and similar bundled building products transported in enclosed trucks or trailers can be transported using the general cargo-securement rules.

## **3. Metal Coils**

The rules in this section apply to the transportation of one or more metal coils, which individually or grouped together weigh 2,268 kilograms (5,000 lb.) or more. Shipments of metal coils that weigh less than 2,268 kilograms (5,000 lb.) may be secured using the general cargo-securement rules.

## **4. Paper Rolls**

The rules for securing paper rolls apply to shipments of them, which individually or together weigh 2,268 kilograms (5,000 lb.) or more. Shipments of paper rolls that weigh less than this, as well as paper rolls bundled on a pallet, may be secured either using the rules in this section or the general cargo-securement rules.

## **5. Concrete Pipe**

The rules in this section apply to the transportation of concrete pipe on flatbed trailers and vehicles, and on lowboy trailers. Concrete pipe that is bundled tightly together into a single rigid article with no tendency to roll, and concrete pipe loaded in a sided vehicle or container, must be secured using the general rules.

## **6. Inter-modal Containers**

The requirements for inter-modal containers cover the transportation of these containers on container chassis and other types of vehicles. Inter-modal containers are freight containers designed and constructed to permit them to be used in two or more modes of transportation (for example, road and ship). Cargo contained within inter-modal containers must be secured using the general cargo-securement rules or, if applicable, the commodity-specific rules.

## **7. Automobiles, Light Trucks and Vans**

This portion of the new standards applies to the transportation of automobiles, light trucks, vans and equipment that operate on wheels or tracks, which individually weigh 4,500 kilograms (9,920 lb.) or less. Individual vehicles that are heavier than this must be secured in the same manner as heavy vehicles, equipment and machinery.

## **8. Heavy Vehicles, Equipment and Machinery**

These requirements apply to the transportation of heavy vehicles, equipment and machinery that operate on wheels or tracks, such as loaders, bulldozers, tractors and power shovels, which individually weigh 4,500 kilograms (9,920 lb.) or more. Those lighter than 4,500 kilograms (9,920 lb.) may be secured using these rules; the rules for automobiles, light trucks and vans; or the general freight requirements.

## **9. Flattened or Crushed Vehicles**

The transportation of vehicles such as automobiles, light trucks and vans that have been flattened or crushed for recycling is covered by these requirements. This does not include vehicles that have been damaged in a collision and still have wheels attached.

## **10. Roll-on/Roll-off or Hook-Lift Containers**

These rules apply to the transportation of roll-on/roll-off or hook-lift containers. A hook-lift container is specialized, primarily used to contain and transport materials in the waste, recycling, construction, demolition and scrap industries. These containers are handled by specialized vehicles on which the container is loaded and unloaded onto a tilt-frame body by a moveable hook arm.

## 11. Large Boulders

The rules in this section apply to the transportation of any large piece of natural, irregularly shaped rock weighing more than 5,000 kilograms (11,000 lb.), or with a volume of more than two cubic metres on an open vehicle, or in a vehicle whose sides are not designed and rated to contain such cargo.

Pieces of rock weighing more than 100 kilograms (220 pounds), but less than 5,000 kilograms (11,000 pounds) must be secured, either using this section, or using the general cargo securement rules, including:

- Rock contained within a vehicle which is designed to carry such cargo
- Secured individually by tie-downs, provided that each piece can be stabilized and adequately secured

Rock that has been formed or cut to a shape, and provides a stable base, must also be secured, as described in this section or with the general-securment rules.

## Other Sources of Help

The following websites may be useful in obtaining information on cargo securement.

A copy of the National Standard is available on the [CCMTA website](#)

[Driver's Handbook on Cargo Securement](#)

[NSC Standard 10 interpretation documents](#)

# Commercial Vehicle Operators' Safety Manual

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## Module 15 – Terms of Reference

### **Abstract**

A record of carrier identification and performance data.

### **Accessible vehicle**

Means a passenger vehicle or a bus,

- that is designed or modified to be used for the purpose of transporting persons with disabilities and is used for that purpose, whether or not the vehicle is also used to transport persons without disabilities, and
- that is operated,
  - for compensation by, for or on behalf of any person, club, agency or organization, or
  - not for compensation by, for or on behalf of any person, club, agency or organization that holds itself out as providing a transportation service to persons with disabilities.

### **Actual weight**

In the case of a truck towing a trailer, means the weight of the truck, when loaded or empty, plus any weight transferred to the truck by an attached trailer, including a house trailer, an object, a device or an implement of husbandry. The weight transmitted to the road by a towed vehicle is not included in the truck's actual weight.

The empty weight of a truck may be found on the vehicle portion of the truck's permit (ownership) beside the VEH WT heading and is in kilograms. **Note:** VEH WT may have been determined before the installation of the truck's cargo body, equipment, fuel, etc.

### **Adjusted Fleet Size**

The number of commercial motor vehicles operated in Ontario by a carrier, plus any double shifted commercial motor vehicles and then reduced to account for the percentage of travel within Ontario.

### **Annual Inspection Certificate**

Means a vehicle inspection record evidencing compliance with the inspection requirements and performance standards set out in NSC Standard 11B (Truck) as modified by Schedule 3, NSC Standard 11B (Trailer) as modified by Schedule 4 or NSC Standard 11B (Bus) as modified by Part I of Schedule 5, as appropriate to the type of vehicle indicated on the record.

### **Annual Inspection Report**

Means, in relation to a vehicle inspection that results in the issuance of an annual inspection sticker, a report containing the information required by clause 10 (1) (d) of Regulation 601 (Motor Vehicle Inspection Stations) made under the *Highway Traffic Act*.

### **Annual Inspection Sticker**

Means a vehicle inspection sticker evidencing compliance with the inspection requirements and performance standards set out in NSC Standard 11B (Truck) as modified by Schedule 3, NSC Standard 11B (Trailer) as modified by Schedule 4 or NSC Standard 11B (Bus) as modified by Part I of Schedule 5, as appropriate to the type of vehicle indicated on the sticker.

### **Audit – See Facility Audit**

### **Bus**

Means a motor vehicle designed for carrying ten or more passengers, excluding the driver, and used for the transportation of persons.

### **Cab Card**

A vehicle permit issued by a Canadian jurisdiction, which allows travel into other Canadian jurisdictions. This is considered an Ontario permit for out-of-province operators.

### **Cancellation**

The Registrar of Motor Vehicles may cancel the CVOR Certificate, the number plate and plate portion of vehicle permits and operating privileges of a carrier.

### **Commercial Motor Vehicle (CMV)**

A commercial motor vehicle includes a truck or highway tractor with a gross weight or registered gross weight of more than 4500 kg, a bus with a seating capacity for ten or

more passengers or a tow truck. Exceptions are noted in Regulation 419/15 under the *Highway Traffic Act*.

**Commercial Vehicle**

Includes commercial motor vehicles and the trailers they may tow.

**Commercial Vehicle Inspection Report (CVIR)**

An inspection report completed by an enforcement officer or police officer of a complete mechanical inspection of a commercial vehicle (i.e. a Level 1 or Level 5 inspection). This inspection usually takes place on road, at a truck inspection station or at the carrier's place of business. Safety defects, if any, are reported on this form.

**Commercial Vehicle Operator's Registration (CVOR) Certificate**

A Commercial Vehicle Operator's Registration (CVOR) Certificate is issued when a carrier is registered in the Ministry of Transportation CVOR System as a carrier. A copy of the certificate must be carried in each commercial motor vehicle operated under that CVOR.

**Commercial Vehicle Operator's Registration (CVOR) System**

An automated computer system that monitors the on-road performance of all carriers utilizing Ontario roadways.

**Commercial Vehicle Safety Alliance (CVSA)**

Commercial Vehicle Safety Alliance (CVSA) is an international organization comprised of Canada, the US, Mexico and Puerto Rico. This agreement provides uniform vehicle inspection criteria across North America.

**CVOR Abstract (Level I)**

A one-page summary of a carrier's performance over the previous 24-month period, accessible by the general public.

**Carrier CVOR Abstract (Level II)**

A detailed history of a carrier's performance including a summary of performance over the previous 24-month period, accessible only by the carrier or an authorized agent of the carrier. Details of collisions, convictions and inspections over the previous five years are also included.

**CVOR Driver Abstract**

A summary of a driver's performance in Ontario while operating commercial motor vehicles over the previous five-year period including moving and non-moving violations, collisions and inspections.

### **Deputy Registrar**

The Deputy Registrar of Motor Vehicles appointed under the *Highway Traffic Act* and designated by the Registrar of Motor Vehicles to act on his/her behalf.

### **Dispute**

For the purposes of this document, a dispute is a written response that a carrier may file with the Registrar within 30 days of notice of a proposed carrier Safety Rating.

### **Double-Shifted**

A vehicle operated by two individual drivers, who have separate shifts consisting of a minimum of 8 hours each, in a 24-hour period more than 4 days per week. The carrier must have sufficient drivers and supporting logs/time records to qualify for double shift status.

### **Emergency vehicle**

means,

- a road service vehicle operated by or on behalf of a road authority,
- a vehicle used by a person employed by or on behalf of a police force, or
- a vehicle used by or on behalf of a public utility.

### **Event**

Collisions, convictions and inspections involving commercial vehicles that are monitored by the CVOR System.

### **Expiry Date**

The expiry date assigned by the Registrar to a CVOR certificate. Unless renewed, the certificate is not valid after the expiry date.

### **Facility Audit**

The facility audit is a “**risk based**” assessment of the elements known to cause or contribute to commercial motor vehicle (cmv) collisions. The Facility Audit consists of THREE Profiles: 1) Qualifications Records and Reporting, 2) Hours of Service and 3) Vehicle Maintenance.

**Fleet Limitation**

A sanction imposed by the Registrar limiting the number of commercial motor vehicles that a carrier may operate within Ontario during the period of a sanction. Every vehicle operated within Ontario during a fleet limitation must be accompanied by an original fleet limitation certificate issued by the Deputy Registrar.

**Gross Vehicle Weight Rating (GVWR)**

The GVWR of a vehicle is a weight rating established by the manufacturer that indicates the maximum gross weight that the vehicle is designed for and includes the empty weight of the vehicle with the maximum payload. The GVWR of a vehicle is stated on the manufacturer's federal compliance label – usually on the driver's door or door post on a truck or on the left side near the front on trailers.

**Gross Weight**

The Gross Weight of a vehicle is the actual weight of the vehicle as would be determined by weighing the entire vehicle and its load on a weigh scale.

**Highway Traffic Act (HTA)**

HTA with its regulations governs such things as vehicle registration, driver licensing, vehicle equipment, vehicle safety inspection, weight, length and height of vehicles/load, security of loads, school buses, Commercial Vehicle Operator's Registration, Registrar of Motor Vehicle sanctions, hours of work and retention of records.

**Hours of Work**

Regulated driving and on-duty hours for a driver of a commercial motor vehicle.

**International Registration Plan (IRP)**

Manages the program that allows commercial vehicle registration revenues to be distributed among the jurisdictions in which carriers travel.

**Inter-city Bus**

A bus commonly known as a motor coach that has,

- a) Motive power mounted to the rear of the front axle,
- b) Air-ride or torsion bar suspension,
- c) A baggage area that is separate from the passenger cabin, and
- d) A passenger cabin with reclining seats for passengers.



### **Intervention(s)**

A number of disciplinary actions that may be imposed on a carrier. These include, but are not limited to a warning letter, an interview, a facility audit, and/or a sanction.

### **Licence Appeal Tribunal (LAT)**

A tribunal that hears carrier appeals of sanction decisions made by the Registrar of Motor Vehicles. Formally known as the Licence Suspension Appeal Board (LSAB).

### **Motor Vehicle Inspection Station (MVIS)**

An inspection station authorized by the ministry to inspect vehicles for certification of mechanical fitness and issuance of annual inspection stickers and Safety Standards Certificates (SSC).

### **National Safety Code**

A series of safety related performance standards that are national in scope and designed to promote the safe operation of commercial motor vehicles, many of which have been incorporated into the *Highway Traffic Act* and its regulations.

### **Notice of Appeal**

A notice filed by a carrier to the Licence Appeal Tribunal (LAT) to appeal a decision made by the Registrar of Motor Vehicles.

### **Operator**

The term operator is used in this document to describe the person or company who operates a truck and is directly or indirectly responsible for the operation of the vehicle, conduct of the driver and carriage of goods or passengers. The operator may own or lease the vehicle. Operator is also used to distinguish the operator from driver. The driver may be the operator, or a person hired by the operator. A person who is the operator and the driver of a vehicle is required to comply with the rules for both the driver and the operator.

### **Operating Licence**

A licence issued to operate public vehicles on a for-hire basis under the *Motor Vehicle Transport Act* or *Public Vehicles Act*.

### **Owner/Operator**

A person who owns a commercial motor vehicle that sub-contracts their services to a licensed carrier.

## **Public Vehicles Act**

The PVA provides legislation for the movement of for-hire buses within the province.

### **Registered Gross Weight (RGW)**

The RGW determines the fee paid for a truck or bus licence plates. RGW is based on, and must be at least equal to the actual weight of the truck and its heaviest load or in the case of a bus the empty weight of the bus plus 60 kg per passenger (40 kg per passenger for school buses) based on the seating capacity of the bus. Generally, the weight of a towed trailer and its heaviest load are added to the RGW of the truck. Load includes the driver, passengers, fuel, equipment, tools, etc. A trailer does not have a RGW.

The RGW is indicated on the right portion (plate portion) of a truck or bus ownership, to the right of "REG. GROSS WT" and is in kilograms. One kilogram equals 2.204 pounds and one pound equals 0.4536 kilograms.

### **Safety Record**

A record kept and obtained by the Registrar relating to a carrier or related carrier that is normally considered in issuing sanctions and must be considered by the Registrar in issuing a Safety Rating.

### **Sanction**

A sanction is the most severe disciplinary measure. It may result in a fleet limitation, plate seizure, or suspension or cancellation of a carrier's operating privileges.

### **School bus**

A bus that

- is painted chrome yellow, and
- displays on the front and rear thereof the words "school bus" and on the rear thereof the words "do not pass when signals flashing".

### **School purposes bus**

A bus while being operated by or under a contract with a school board or other authority in charge of a school for the transportation of adults with a developmental disability or children.

### **School purposes accessible bus**

An accessible bus while being operated by or under a contract with a school board or other authority in charge of a school for the transportation of adults with a developmental disability or children.

### **School purposes accessible van**

An accessible van while being operated by or under a contract with a school board or other authority in charge of a school for the transportation of adults with a developmental disability or children.

### **School purposes vehicle**

A passenger vehicle while being operated by or under a contract with a school board or other authority in charge of a school for the transportation of adults with a developmental disability or children.

### **Semi-Annual Inspection Certificate**

A vehicle inspection record evidencing compliance with the inspection requirements and performance standards set out in NSC Standard 11B (Bus) as modified by Part I and II of Schedule 5.

### **Semi-Annual Inspection Report**

In relation to a vehicle inspection that results in the issuance of a semi-annual inspection sticker, a report containing the information required by clause 10 (1) (e) of Regulation 601 (Motor Vehicle Inspection Stations) made under the *Highway Traffic Act*.

### **Semi-Annual Inspection Sticker**

A vehicle inspection sticker evidencing compliance with the inspection requirements and performance standards set out in NSC Standard 11B (Bus) as modified by Part I and II of Schedule 5.

### **Threshold**

The standard against which a carrier's performance is measured. The threshold represents 100% of a carrier's allowable violation rate based on industry performance data.

### **Total Ontario Fleet Size**

Total number of commercial motor vehicles normally operated by a carrier in Ontario.

**Tow Truck**

A motor vehicle commonly known as a tow truck; a commercial motor vehicle with a flatbed that can tilt to load and that is used exclusively to tow or transport other motor vehicles; a motor vehicle designed, modified, configured or equipped so that it is capable of towing other motor vehicles

**Violation Rate**

A measure of a carrier's safety performance as compared to their threshold and expressed as a percentage of threshold.

**Warning Letter**

A letter that may be sent by the Registrar to a carrier when its violation rate is above an acceptable percentage of its threshold (35%).