

# FACILITY AUDIT & SCORING GUIDELINES MANUAL



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# 1. SAFETY MONITORING

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The Manitoba Government promotes the safety of motor carriers on the highways by monitoring their on-road safety performance in three ways:

1. A carrier's on-road safety performance is monitored using the [Carrier Profile System](#) (CPS). The CPS tracks all incidents (convictions, inspections, and accidents) that happen in Canadian jurisdictions.
2. All motor carriers and operators of regulated vehicles are required to have a [Safety Fitness Certificate](#) (SFC), which includes the carrier's safety rating.
3. [Manitoba's Safety Monitoring Framework](#) is used to identify carriers subject to progressive intervention to improve safety performance.

The department's progressive interventions range from warning letters to the prohibition from operating regulated vehicles in Manitoba. Carriers may:

- receive warnings reminding them of their safety responsibilities.
- be asked to submit a safety plan or action plan for improving their [safety performance](#).
- have their safety rating adjusted.
- be selected for an [audit](#) by Motor Carrier Investigations Unit.
- Carriers demonstrating deficiencies in safe operation and compliance with applicable highway safety laws and regulations relating to motor carriers and the NSC standards may be assigned an "unsatisfactory" safety rating.
- Section 322.1(11) of the Highway Traffic Act prohibits carriers from continuing operations of regulated vehicles in Manitoba when they have been assigned an unsatisfactory safety rating.
- These safety monitoring activities fulfil Manitoba's obligations under the [National Safety Code \(NSC\)](#) for carrier profiles ([NSC 7](#)), safety rating ([NSC 14](#)), and facility audits ([NSC 15](#)).

## 1.1 Carrier Profile

Manitoba Transportation and Infrastructure strives to keep roadways safe for all road users through monitoring and enforcing safety standards in the motor carrier industry.

Your carrier profile provides an overview of your safety performance rating, using the Carrier Profile System (CPS). CPS uses your National Safety Code (NSC) number, which is shown on your truck and trailer registrations, to track all convictions, inspections and accidents incurred by anyone driving your regulated vehicle(s) in the last 24-month period.

The following information is collected from across North America. However, only incidents occurring in Canada are applied to your carrier profile and used in the calculation of the performance thresholds.

**General:** Basic information about you or your company, such as: name, address, and contact information, nature of business/organization, insurance information and fleet size.

**Convictions:** Convictions against both carriers and drivers, including moving violations, load securement violations, and unsafe vehicle equipment violations are assessed on the carrier profile. The same violation carries the same number of points no matter where the violation happened in Canada.

**On-Road Vehicle Inspections:** The results of Commercial Vehicle Safety Alliance (CVSA) inspections, are recorded on the carrier profile. Points are assessed if your driver or vehicle is placed out of service.

**Accidents:** All reportable accidents in any Canadian jurisdiction are recorded on the carrier profile. Points are assessed for at-fault accidents resulting in property damage, injury, or fatality. No points are assessed if the driver of your NSC vehicle is not found at fault.

The carrier profile system is designed to identify higher risk carriers and to assist carriers in monitoring their own safety performance. This is accomplished by using the information on the carrier profile to calculate performance scores. When a performance score exceeds defined thresholds the department intervenes with the carrier to [improve safety](#).

Points are assessed for convictions, out of service inspections and at-fault accidents. The more points you accumulate in any of these areas, the higher risk you are determined to be.

The performance scores are calculated monthly and are determined by comparing your on-road performance with other carriers of the same average vehicle fleet size.

<b>Pre- intervention 0-40%</b>	acceptable
<b>Early Intervention 41-64%</b>	minor attention required – first and second warning letters sent; safety/action plan may be required
<b>Early Intervention 65-84%</b>	major attention required – second warning letter is sent; carrier will be asked to submit a safety plan or action plan to address performance issues
<b>Managed Intervention 85% +</b>	departmental intervention – third warning letter sent; carrier’s safety rating may be moved to conditional; carrier may be ordered to take the New Entrance Training (NET) course ; an audit is likely; and <a href="#">may be considered for shut-down</a> .

**1.2 Safety Fitness Certificate (SFC)**

Manitoba Transportation and Infrastructure issues safety fitness certificates to Manitoba-based motor carriers (operators) in compliance with s. 312.2 of the Manitoba Highway Traffic Act and s. 8(1) of the Canada Motor Vehicle Transport Act. Manitoba requires all motor carriers and operators of regulated vehicles to hold a valid safety fitness certificate, unless explicitly exempted by regulation.

The following vehicles are defined as regulated vehicles in Manitoba:

- a truck or truck tractor with a registered gross vehicle weight of 4500 kilograms or more.
- a passenger vehicle designed with a seating capacity of 11 or more persons, including the driver.
- a school bus designed with a seating capacity of 11 or more persons, including the driver.
- A safety fitness certificate is valid for one year and must be renewed annually before a motor carrier renews their vehicle registrations.

## 1.3 Safety Monitoring Framework

Manitoba Transportation and Infrastructure uses the Carrier Profile System to track a carrier's on-road safety performance and assign a carrier's safety rating. The department also uses the Carrier Profile System to determine the level of intervention needed to encourage carriers to operate in a safe manner.

The Carrier Profile System includes carrier records related to convictions, inspections, and accidents, which are used to calculate performance scores and assess the level of risk a carrier poses to other road users. The department's progressive intervention levels include safety education for new and renewing carriers, early and managed intervention strategies for at-risk carriers and the prohibition from operating regulated vehicles for high-risk non-compliant carriers.

Carriers based in Manitoba are placed in one of the following categories based on their safety record:

### **1.3 (a) Carrier Start-up – New Safety Fitness Certificate (SFC)**

- Start-up – Carriers apply for a safety fitness certificate and undergo early education to ensure that they start on a path of safe operations.

### **1.3 (b) Annual Renewals & Pre-Intervention: Performance Scores of 0% to 40 % with No Risk Factors**

- Pre-Intervention – Carriers complete an annual Safety Fitness Certificate (SFC) renewal application to maintain a valid certificate. Potential safety concerns may be identified.

### **1.3 (c) Early Intervention: Performance Scores 41% to 84% at Risk Factor 1-2.75**

- Early Intervention – Provides early warnings for at-risk carriers and educates on progressive intervention related to improving operator safety and promotes carrier understanding of their responsibilities under the Highway Traffic Act.

### **1.3 (d) Managed Intervention: Performance Score 85% at Risk Factor 3-3.75**

- Managed Intervention – Delivers active intervention to support operators to become more compliant and to determine if operators pose an unacceptable risk for road safety.

**When a carrier scores 85 percent or greater, the department carries out the following actions:**

- Changes safety rating to Conditional if the overall performance score exceeds 85 Percent for three months or more.
- Sends third sanction letter to carrier advising that they have been placed on the managed intervention list and that they may be selected for a National Safety Code (NSC) 15 facility audit.
- Increases risk factor by 0.25 for each performance score that exceeds the threshold.
- Subject carriers selected for an [NSC Standard 15](#) facility audit to further interventions if they fail the audit. Audit interventions include, but are not limited to:
- Conditional safety rating assigned, regardless of on-road performance record. Carrier is not eligible for a safety rating change for three years unless they undergo a subsequent audit and pass it.
- Follow-up meeting with auditor to educate the carrier in the failed areas of the audit and give the carrier tools for practical application to improve their overall operational safety.
- Monetary penalties.
- Carrier may be ordered to work with a third-party agency to assist in improving their safety deficiencies and thus improving their performance threshold.
- Carrier may be ordered to provide additional training to drivers or implement a safety plan or action plan to improve operations.

- Carrier may be ordered to undergo a follow-up audit or a mandatory hours of service review; and
- Carrier may be ordered to reduce their fleet size until they improve their safety record.
- Carriers demonstrating ongoing deficiencies in safe operating practices and compliance with applicable highway safety laws and regulations and failing to improve their operations when ordered to do so under s. 322.1(3) of the Highway Traffic Act, will be considered for departmental shutdown of their operations.
- (e) Shutdown Consideration: Ongoing Safety Deficiencies at Risk Factor 4.
- Shut-down Consideration – Occurs when carriers have been identified as posing a serious road safety risk and the department is examining the case against the carrier to determine if the carrier should be assigned an Unsatisfactory safety rating and have their safety fitness certificate revoked.
- (f) Shutdown of Carrier: Risk Factor 5.
- Shut-down of Unsatisfactory Carrier – Occurs when the department prevents a carrier that is deemed to be an unacceptable safety risk from operating with a Manitoba SFC. The carrier is assigned an Unsatisfactory safety rating and their SFC is revoked.



## 2. FACILITY AUDIT OVERVIEW

Manitoba's Motor Carrier Investigations Unit works with commercial carriers to review their safety and maintenance practices and outline compliance expectations. Each carrier's compliance level is monitored and carriers demonstrating compliance problems face progressive discipline.

An audit may be initiated based on information in the carrier's profile, or on substantiated complaints, or concerns received from the public, policing agencies, and the transportation industry. Some audits are conducted randomly, or at the carrier's request.

### 2.1 Facility Audit

In accordance with National Safety Code Standard 15, a facility audit is designed to review a carrier's on-highway and safety management activities in considerable detail. During a facility audit, an investigator examines the carrier's records and reports on demonstrated compliance with the safety standards of the National Safety Code program and its related legislation as implemented in Manitoba. The facility audit report provides us with an understanding of the carrier's degree of compliance.

The facility audit assesses a carrier's compliance in the areas of driver records, hours of service, vehicle records, and the transportation of dangerous goods. Audit results become part of the carrier profile and play a major role in determining a carrier's safety fitness rating. The number of driver and vehicle records examined in the audit is determined using a sampling formula based on the total number of drivers and vehicles under the carrier's control.

### 2.2 Investigations

Investigations are conducted to identify if commercial motor carriers are operating in compliance with federal and provincial transportation laws. Investigations are usually specific to a single event or type of violation; however, they may include several aspects of a carrier's operations.

### 2.3 Requesting an Audit

Carriers who failed an audit or seek improvement to their operations, and validation of their safety regimes may request an audit for the purpose of acquiring a SATISFACTORY safety fitness rating.

Request audits are prioritised based on available resources and the carrier's potential for a successful outcome. Carriers are encouraged to obtain the services of a transportation safety consultant first to assess their compliance with applicable highway safety laws and regulations.

The department maintains a list of approved consultants that is available upon request. Carriers' may contact the Manager, Motor Carrier Investigations at 204-945-2319 to request a facility audit.

### 2.4 Carrier Selection and Notification

A facility audit or safety investigation may be initiated for-cause, based on information in the carrier's profile, or on substantiated complaints or concerns received from the public, policing agencies, and the transportation industry. Facility audits or safety investigations may also be initiated for situations such as a wheel-off occurrence, an accident involving a regulated vehicle, misuse of the Safety Fitness Certificate, or the coercing of drivers to drive more than the prescribed Hours of Service Regulations. Some facility audits are also conducted randomly.

Once it is determined that a facility audit is required, the carrier may be notified 5 to 10 working days before the facility audit. This allows the carrier sufficient time to gather and organize the requested records. (NOTE: There is no requirement to give advance notice.)

Under Section 318.10(2) of The Highway Traffic Act, carriers must make their records available for inspection at any reasonable time. In situations where an immediate safety concern has been identified, the investigator may enter the carrier's chief place of business without prior notice and place a demand on the carrier to present records for examination.

## **2.5 Conducting the Facility Audit**

The facility audit is usually conducted at the carrier's place of business. However, it may, on occasion, be conducted at the Manitoba Motor Carrier Investigations office or by virtual meeting due to extenuating circumstances such as the carrier's location, a carrier having demonstrated inappropriate behavior or a lack of space to accommodate an investigator or team.

## **2.6 Facility Audit Structure**

The facility audit is a quantifiable audit. This means that compliance for every operator will be measured against the same standards, including:

- consistent rules/guidelines for determining compliance.
- quantifiable methods to arrive at the overall audit score.
- random sampling in situations where the carrier has more than five of either drivers and/or vehicles.

## **2.7 Facility Audit Follow-Up**

The investigator will complete the audit report. If no violations are found, no action will be taken, as the carrier has demonstrated an acceptable level of compliance.

If violations have been identified, the carrier will be provided with a copy of them in a document called the Summary of Violations Report. An appointment will be made for a mandatory carrier interview, which is held at the Motor Carrier Investigations offices.

The purpose of the interview is to review the audit findings and provide the carrier with an opportunity to: present evidence to refute any of the findings, make comments, or give explanations. The other purpose of the interview is to discuss the actions necessary to bring the carrier into full compliance.

## **2.8 Facility Audit Fines**

The department uses a system of administrative sanctions for facility audit fines. Unlike fees, fines do not recover costs associated with administering the facility audit program. Fines are recorded as count- for-count in the driver records, hours of service, and vehicle records audit categories.

## **2.9 Fine Reduction**

Facility audit fines are reduced to 25% of the set fine amounts specified in the Preset Fines and Offence Regulation M.R. 96/2017 and/or the Contraventions Regulation SOR/96-313.

Facility audit fine amounts may be further reduced by the average cost of a Transportation Safety Consultant for carriers that demonstrate effort to improve between the first, second and subsequent audits. Reducing fines by the cost of a consultant will have several benefits, including encouraging education, safety over fines and training tailored to the carrier's operation.

## 2.10 Facility Audit Fine Scales

Audit fines will be assessed using the following scales:

**First audit** – fine amount ranges between 0%-33% of the maximum calculated fine

- Investigators may use discretion when applying fine amounts based on the audit result.

**Second audit** - fine amount ranges between 34%-67% of the maximum calculated fine

- Investigators may use discretion when applying fine amounts based on the audit result and operator improvement orders implemented in a previous audit.

**Third and subsequent audits** – fine amount ranges between 68%-100% of the maximum calculated fine

- Investigators may use discretion when applying fine amounts based on the audit result and operator improvement orders implemented in previous audits.

The fine system is based on the number of audits conducted and the carrier's level of compliance with highway safety laws and regulations related to motor carriers.

## 2.11 Facility Audit Operator Improvement Orders

In addition to facility audit fines and where the director is not satisfied that the operator is complying adequately with [The Highway Traffic Act](#), The Drivers and Vehicles Act and the regulations under those Acts, may do one or more of the following:

- (a) order the operator to do such things as the minister considers reasonably necessary to improve compliance, including any one or more of the following:
  - (i) to submit to one or more audits of the operator's operations by a third-party auditor designated by the director,
  - (ii) to limit the size of the operator's fleet,
  - (iii) to institute a safety plan acceptable to the director,
  - (iv) to retain an auditor at the operator's expense to develop a safety plan for the purposes of subclause (iii),or any similar thing.
- (b) adjust the operator's safety fitness rating.
- (c) suspend or revoke the operator's safety fitness certificate.
- (d) impose a monetary penalty of not more than \$25,000 on the operator.

In addition to any imposed operator improvement order listed above, each carrier will be required to implement a department approved National Safety Code (NSC) Record Keeping Compliance Plan.

## 2.12 Facility Audit Scoring for Exempt Drivers and Vehicles

Drivers and vehicles will not be scored when exempt under regulation. N/A will be selected on applicable facility audit worksheets.

### 2.13 Random Sampling of Drivers and Vehicles

The number of driver and vehicle records included in the facility audit is determined by the NSC Standard 15 sample size guidelines of the total number of drivers and vehicles under the carrier's control. To ensure objectivity for carrier's that have more than five drivers/vehicles, a random sampling of drivers and vehicles must be used. If a vehicle/driver is removed from the audit, it must be replaced with another.

The following table summarizes the number of drivers, power units and trailers that will be audited based on the size of the operator's fleet and the number of drivers.

Number of Drivers/Vehicles	Minimum Sample Size (Drivers/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
414 to 500	21
+500	25

**REMINDER:** Drivers and/or vehicles can be added to the facility audit if the investigator has a concern about a particular driver and/or vehicle. For instance, the carrier forgot to list a driver/vehicle, omitted a driver because the carrier had dismissed him/her, disposed of a vehicle, or deliberately omitted a driver/vehicle. However, it is up to the investigator to explain why the addition(s) have been made.

When a vehicle or driver has not been disclosed by the carrier, the investigator will note it and watch for references to the driver/vehicle as the audit proceeds before deciding to include the driver/vehicle as part of the audit.

### 3. HOURS OF SERVICE REGULATIONS

Hours of service regulations define the maximum driving times and minimum off-duty times for drivers of commercial vehicles (both bus and truck) in Canada. These limits were created to prevent dangerous fatigue-related incidents from happening. Operators of regulated vehicles must include information about hours of service in their safety programs.

The Commercial Vehicle Driver's Hours of Service Regulation (Federal: SOR/2005-313) applies to extra-provincial motor carriers and their drivers. **Extra-provincial carriers** are those that have crossed a provincial or international border at least once.

The Commercial Vehicle Driver's Hours of Service Regulation (Provincial: MR 72/2007) applies to intra-provincial motor carriers and their drivers. **Intra-provincial carriers** are those that have never crossed a provincial or international border.

#### 3.1 Can You Change from Extra-Provincial to Intra-Provincial?

Manitoba Transportation and Infrastructure will change a motor carrier's designation **if**:

- The carrier self declares on their Safety Fitness Certificate renewal that they have not operated outside of Manitoba in the previous 12 months,
- During a facility audit or investigation, the carrier discloses that they have not operated outside of Manitoba in the previous 12 months,
- The carrier's on-road activities and supporting documents confirm they have not operated outside of Manitoba in the previous 12 months; **and**
- The carrier's regulated vehicles comply with insurance and registration class requirements.

#### 3.2 Applicability

The hours-of-service regulations apply to all regulated vehicles other than the following:

- (a) A two or three-axle commercial vehicle being used for
  - (i) transporting the primary products of a farm, forest, sea, or lake, if the driver or the motor carrier is the producer of the products, or
  - (ii) 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.
- (b) an emergency vehicle; and
- (c) a vehicle engaged in providing relief in the case of a public welfare emergency, as that expression is defined in section 5 of the Emergencies Act.

### 3.3 Responsibilities of Motor Carriers, Shippers, Consignees & Drivers

Motor Carriers, shippers, consignees (receivers), other persons (compliance officers; dispatchers), and drivers all have a role in preventing fatigue-related incidents. By law, these parties must take steps to prevent the driver from driving *if*:

- The driver's faculties are impaired to the point where it is unsafe for the driver to drive.
- Driving would jeopardize the safety of the public, the driver, or the employees of the motor carrier.
- The driver is subject to an out-of-service declaration.
- The driver, in doing so, would not follow the hours-of-service regulations.

Drivers who are in violation of hours-of-service regulations may be subject to fines as well as being placed out of service roadside. Convictions under the hours-of-service regulations will negatively affect the carrier's profile. This may result in the carrier being identified for a facility audit. It will also negatively affect a driver's commercial driving record (abstract).

### 3.4 Hours of Service Record Keeping SOR 2005-313

Records and supporting documents of each driver's HOS accounting for each day, must be maintained for at least 6 months. Source documents include payroll records, driver trip reports, bridge tolls, dispatch records, invoices, bills of lading, fuel receipts, and accommodation receipts to verify the accuracy of the reported information on the records of duty status or other time records, except for the following vehicles:

- Two or three-axle vehicle transporting primary products of a farm, forest, sea, or lake if produced by the motor carrier or the driver; or on the return trip, if empty or transporting products used in the principal operation of a farm, forest, sea, or lake.
- An emergency vehicle.
- A vehicle transporting people or goods to provide disaster relief.
- An urban transit service bus.
- A regulated vehicle may be driven for personal use, *if*:
  - It has been unloaded.
  - Any trailers have been unhitched.
  - The distance travelled does not exceed 75 km per day, and
  - The driver records in the record of duty status the odometer readings at the beginning and end of the personal use.

## 4. MANITOBA FACILITY AUDIT RATING SYSTEM

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Manitoba Transportation and Infrastructure's facility audit program is comprised of three sections:

- Section One – Driver Records – [The Highway Traffic Act](#).
- Section Two – Hours of Service Records – [The Commercial Vehicle Drivers Hours of Service](#).
- Section Three – Vehicle Records – [The Highway Traffic Act](#) & [National Safety Code Standard 11](#).

Once the audit is completed the scores in all three audit sections are averaged to determine the overall facility audit score. Audit scores 85% or greater will receive a **PASS** result and scores less than 85% will receive a **FAIL** result.

### Driver Records

The carrier is graded on its record-keeping compliance.

Each driver sampled is scored on the maximum points available per applicable category for driver records. Points will be deducted upon detection of an infraction in the following area(s):

#### Maximum Points Available:

- **50 Points** – Initial / Annual Driving Record.
- **20 Points** – Review of Driving Record.
- **10 Points** – Accident Disclosure.
- **10 Points** – Conviction Disclosure.
- **10 Points** – Transportation of dangerous goods (if applicable) [TDG Act](#).
- **0 Points** – Refuse access or fail to provide requested supporting documents.

Once the audit is completed the scores for all drivers sampled in the audit are averaged to provide a total section score.

## Hours of Service

The carrier is graded on its compliance to the Commercial Vehicle Drivers Hours of Service Regulation. The carrier is responsible for monitoring the compliance of each driver with the regulation and for documenting the immediate remedial actions taken to correct the non-compliance.

Each driver sampled is scored on the maximum points available per applicable category for hours of service. Points will be deducted upon detection of an infraction in the following area(s):

### Maximum Points Available:

- **10 Points** – Monitoring by Motor Carrier.
- **15 Points** (reduced 5 pts per infraction) – Daily Hours Compliance.
- **15 Points** (reduced 5 pts per infraction) – Shift Hours Compliance.
- **15 Points** (reduced 5 pts per infraction) – Cycle Hours Compliance.
- **15 Points** (reduced 5 pts per infraction) – Required Information Compliance.
- **30 Points** (reduced 10 pts per infraction) – False RODS.
- **0 Points:**
  - Fourth instance of false RODS,
  - Any missing or duplicate RODS, or
  - Refuse access or fail to provide requested supporting documents.

Once the audit is completed the scores for all drivers sampled in the audit are averaged to provide a total section score.

## Vehicle Records

The carrier is graded on its compliance to their scheduled preventative maintenance and inspection program, on-road CVSA inspections and record keeping requirements.

Each vehicle sampled is scored on the maximum points available per applicable category for vehicle records. Points will be deducted upon detection of an infraction in the following area(s):

### Maximum Points Available:

- 60 Points (reduced 20 pts per infraction) – Scheduled Preventative Maintenance & Inspection.
- 5 Points – Commercial Vehicle Safety Alliance (CVSA).
- 5 Points – Commercial vehicle trip inspection.
- 30 Points – Periodic Mandatory Vehicle Inspection (PMVI).
- 0 Points – Refuse access or fail to provide requested supporting documents.

Once the audit is completed the scores for all vehicles sampled in the audit are averaged to provide a total section score.

## DUE DILIGENCE

Points **will not** be deducted for violations found **if** the carrier has found the violation(s) and tried to have the driver comply with regulatory requirements (due diligence). The carrier **must** show evidence of enforcing disciplinary procedures to not have points deducted.



## 5. DRIVER RECORD SCORING RUBRIC

Each driver sampled is scored on the maximum points available per applicable category for driver records. Points will be deducted upon detection of an infraction in the following area(s):

Section	Description	Maximum Points Available
<b>Driver Records</b>	Initial and/or Annual Driving record (abstract)	50
	Review of driving record (abstract)	20
	Accident disclosure	10
	Conviction disclosure	10
	Transportation of dangerous goods (if applicable)	10
	Refuse access or fail to provide requested supporting documents	0
<b>Total</b>		<b>100</b>

### Due Diligence

Points will not be deducted for violations found if the carrier has found the violation(s) and tried to have the driver comply with regulatory requirements (due diligence). The carrier must show evidence of enforcing disciplinary procedures to not have points deducted.

### Missing Records

- Identify any missing records and allow the carrier the opportunity to locate and provide the missing record during the facility audit.
- Record the violation if the record is not provided during the facility audit.

### Driver Records

A regulated vehicle driver must hold only one valid driver's license and must be licensed in only one jurisdiction. The driver must disclose suspensions, cancellation, prohibition or change in classification of the driver's license. A driver must report, and provide the carrier with copies of any convictions, accident reports, and on-road or terminal inspections within 14 days of the occurrence.

## 5.1 INITIAL DRIVING RECORD (ABSTRACT) *if applicable within the previous 2 years*

Each driver sampled will have 50 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation HTA
No initial abstract on file at time of hire	Sec. 318.6(1)
Initial abstract obtained after audit notification	Policy
The department discovers that a driver's licence is invalid. Pursuant (FIPPA), particulars of the licence invalidation will not be disclosed to the carrier. Only the driver's name will be provided to the carrier.	Policy
Description of Violation	Regulation HTA
Initial abstract not current within 30 days of hire date	Sec. 318.6(3)

### Carrier Responsibility

- The carrier to ensure each driver has a valid driver's licence for the class of vehicle they will be operating as specified in Appendix "A" (see page 72).

### Conducting the Audit

- Examine RODS, carrier profile report and other supporting documents to determine whether the driver drove during the period when there was no abstract on file.
- Determine if the driver has driven while prohibited or suspended, or with the wrong class of licence.

### Guidance

- Record a violation upon detection of initial driving record non-compliance.
- A total of 50 points will be deducted upon detection of any driving record (initial or annual) non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 50 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Driver abstract will not be required *if*:
- The carrier operates only one regulated vehicle that is not a school bus; and
- Its only driver is an individual.
  - Who is also the carrier, or
  - Who controls the corporation that is the carrier.

## 5.2 ANNUAL DRIVING RECORD (ABSTRACT) *review previous 2 years*

Each driver sampled will have 50 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation HTA
Annual abstract not current within 12 months from the previous abstract date	Sec. 318.6(2)
Annual abstract obtained after audit notification	Policy
The department discovers that a driver's licence is invalid. Pursuant (FIPPA), particulars of the licence invalidation will not be disclosed to the carrier. Only the driver's name will be provided to the carrier.	Policy

### Carrier Responsibility

- The carrier to ensure each driver has a valid driver's licence for the class of vehicle they will be operating as specified in Appendix "A" (see page 72).

### Conducting The Audit

- Examine RODS, carrier profile report and other supporting documents to determine whether the driver drove during the period when there was no abstract on file.
- Determine if the driver has driven while prohibited or suspended, or with the wrong class of licence.

### Guidance

- Record a violation upon detection of annual driving record non-compliance.
- A total of 50 points will be deducted upon detection of any driving record (initial or annual) non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 50 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Driver abstract will not be required *if*:
- The carrier operates only one regulated vehicle that is not a school bus; and
- Its only driver is an individual.
  - Who is also the carrier, or
  - Who controls the corporation that is the carrier.

## 5.3 REVIEW OF DRIVING RECORD

Each driver sampled will have 20 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation HTA
No evidence of initial or annual review of driving record on file	Sec. 318.6(4)
No driver abstracts on file to perform review of initial or annual driving record	Sec. 318.6(4)
Review of driving record not conducted within 30 days of abstract date	Sec. 318.6(4)
Review of driving record does not contain the date or name of reviewer	Sec. 318.6(4)
Review of driving record conducted after audit notification	Policy

### Conducting The Audit

- Examine driver RODS, carrier profile report and other supporting documents to verify whether the driver drove in the period when there was no driving record (abstract) on file.
- Examine the driver licence status.
- Determine if the driver has driven while prohibited or suspended, or with the wrong class of licence.

### Exception

- The review of driving record requirement is within the allotted 30-day grace period of the abstract date.
  - Select “N/A” for review of driving record on the Driver Record & Hours of Service and Summary of Audit Section Scores worksheets.

### Guidance

- Record a violation upon detection of review of driving record non-compliance.
  - A total of 20 points will be deducted upon detection of any review of driving record (initial or annual) non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 20 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Reviews may be conducted on a specific date, anniversary/hire date or internal schedule.
- Driver abstract has a notation including the date and signature of the person conducting the review.
- Driver review will not be required **if**:
- The carrier operates only one regulated vehicle that is not a school bus; and
- Its only driver is an individual.
  - Who is also the carrier, or
  - Who controls the corporation that is the carrier.

## 5.4 ACCIDENT DISCLOSURE

Each driver sampled will have 10 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation HTA
No accident disclosure on file (operating any motor vehicle)	Sec. 318.1(3)
Accident disclosure not current within 30 days after the event	Sec. 318.1(3)
No abstract on file to determine accident disclosure requirement	Policy
Abstract obtained after audit notification (unable to determine disclosure requirement)	Policy
The department identifies an unreported accident on the DVL report. Pursuant to <a href="#">(FIPPA)</a> , particulars will not be disclosed to the carrier and only the driver's name and date of accident will be provided to the carrier.	Policy

### Not Applicable

- The driving record (abstract) and Driver Vehicle Licencing (DVL) report do not identify a reportable accident in the previous 24 months.
  - Select "N/A" for accident disclosure on the Driver Record & Hours of Service and Summary of Audit Section Scores worksheets.

### Conducting The Audit

- Examine the driving record and DVL report for reportable accidents.
- Using the carrier profile, review accidents to identify trends in drivers, vehicles, types of infractions, etc.

### Guidance

- Record a violation upon detection of accident disclosure non-compliance.
- A total of 10 points will be deducted upon detection of accident disclosure non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 10 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Abstract has a notation including the date and details of a reportable accident.
- Accident disclosure will not be required **if**:
- The carrier operates only one regulated vehicle that is not a school bus; and
- Its only driver is an individual.
  - Who is also the carrier, or
  - Who controls the corporation that is the carrier.

## 5.5 CONVICTION DISCLOSURE

Each driver sampled will have 10 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation HTA
No conviction disclosure on file (operating any motor vehicle)	Sec. 318.1(3)
Conviction disclosure not current within 30 days after the event	Sec. 318.1(3)
No abstract on file to determine conviction disclosure requirement	Policy
Abstract obtained after audit notification (unable to determine disclosure requirement)	Policy
MCIU identifies an unreported accident on the DVL report. Pursuant to <a href="#">(FIPPA)</a> , particulars will not be disclosed to the carrier and only the driver's name and date of accident will be provided to the carrier.	Policy

### Not Applicable

- The driving record and DVL report do not identify a reportable conviction in the previous 24 months.
  - Select "N/A" for conviction disclosure on the Driver Record & Hours of Service and Summary of Audit Section Scores worksheets.

### Conducting The Audit

- Examine the driving record and DVL report for reportable convictions.
- Using the carrier profile, review convictions to identify trends in drivers, vehicles, types of infractions, etc.

### Guidance

- Record a violation upon detection of conviction disclosure non-compliance.
- A total of 10 points will be deducted upon detection of conviction disclosure non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 10 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Abstract has a notation including the date and details of a reportable conviction.
- Conviction disclosure will not be required *if*:
- The carrier operates only one regulated vehicle that is not a school bus; and
- Its only driver is an individual.
  - Who is also the carrier, or
  - Who controls the corporation that is the carrier.

## 5.6 TRANSPORTATION OF DANGEROUS GOODS *if applicable*

Each driver sampled will have 10 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Regulation SOR/2001-286
No TDG driver training certificate on file	Part 6, Section 6.1(2)(a)

### Not Applicable

- Carriers that do not transport dangerous goods will not be assessed.
  - Select “N/A” for transportation of dangerous goods on the Driver Record & HOS and Summary of Audit Section Scores worksheets.

### Conducting The Audit

- Examine TDG training certificates for:
  - Employer’s signature
  - Name and address of place of business
  - Expiry date (preceded by the words “Expired On”)
  - Indication of training received.

### Guidance

- Record a violation upon detection of TDG non-compliance.
- A total of 10 points will be deducted upon detection of TDG non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 10 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## 5.7 REFUSE ACCESS OR FAIL TO PROVIDE REQUESTED SUPPORTING DOCUMENTS

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Each driver sampled will have 100 points deducted in the driver record section when requested supporting documents are mutilated, obscured, altered, deleted, destroyed, or not provided.

## 5.8 DRIVER RECORD RETENTION

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A carrier infraction will be recorded upon detection of an infraction in the following area(s):

Description of Violation		Regulation
Initial driving record (abstract)	Records must be maintained for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
Annual Driving record (abstract)	Records must be maintained for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
Review of driving record	Records must be maintained for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
Accident disclosure	Records must be maintained for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
Conviction disclosure	Records must be maintained for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
TDG shipping documents	Records must be maintained for a minimum period of 2 years after it was prepared	<a href="#">SOR 2001-286 / MR 55/2003</a> Sec 3.11 (2)
TDG training records/materials	Records must be maintained for a minimum period of 2 years after the expiry of the training certificate	<a href="#">SOR 2001-286 / MR 55/2003</a> Sec. 6.6



## 6. HOURS OF SERVICE (HOS) SCORING RUBRIC

Each driver sampled is scored on the maximum points available per applicable category for hours of service. Points will be deducted upon detection of an infraction in the following area(s):

Section	Description	Maximum Points Available
Hours of Service	Monitoring by motor carrier	10
	Daily hours compliance	15 (Reduced 5 pts per infraction)
	Shift hours compliance	15 (Reduced 5 pts per infraction)
	Cycle hours compliance	15 (Reduced 5 pts per infraction)
	Required Info	15 (Reduced 5 pts per infraction)
	False RODS	30 (Reduced 10 pts per infraction)
	<ul style="list-style-type: none"> <li>• Fourth instance of false RODS</li> <li>• Any missing or duplicate RODS</li> <li>• Refuse access or fail to provide requested supporting documents</li> </ul>	0
<b>Total</b>		<b>100</b>

### Facility Audit HOS Sample Size

The facility audit will examine **one calendar month** of RODS, plus previous 14 days to confirm cycle, for each driver sampled.

The carrier is graded on its compliance to the Commercial Vehicle Drivers Hours of Service Regulation. The carrier is responsible for monitoring the compliance of each driver with the regulations and document the immediate and remedial actions taken to correct identified non-compliance.

Note: drivers who operate in both Canada and U.S. jurisdictions must be compliant with the hours-of-service regulations in both countries. For more information on the differences between Canada and the U.S. refer to appendix's D and E. (see pages 76 & 77)

### Due Diligence

Points **will not** be deducted for violations found **if** the carrier has found the violation(s) and tried to have the driver comply with regulatory requirements (due diligence). The carrier **must** show evidence of enforcing disciplinary procedures to not have points deducted.

### Missing Records

- Identify any missing records and allow the carrier the opportunity to locate and provide the missing record during the facility audit.
- Record the violation if the record is not provided during the facility audit.

## 6.1 HOS MONITORING BY MOTOR CARRIER

Each driver sampled will have a maximum of 10 points deducted upon detection of an infraction in the following area(s):

Description of Violation		Regulation SOR 2005-313
Monitoring	No evidence of a monitoring process to verify driver compliance with the HOS regulations	Sec. 87
Monitoring	No documented evidence of remedial actions taken to correct identified non-compliance	Sec. 87
Monitoring	The monitoring process is limited to reviewing the ELD violation report only	Sec. 87
Monitoring	No evidence of a forensic monitoring process that compares RODS against supporting documents	Sec. 87
Monitoring	The carrier fails to provide an HOS monitoring report for any driver sampled	Sec. 87

### Carrier Responsibility

A carrier shall monitor the compliance of each driver with the regulations.

The carrier must provide the investigator with the **most recent** compliance monitoring report for each driver sampled. Failure to do so, will result in 10 points being deducted for each driver sampled without a compliance monitoring report.

### Exception

As a matter of policy, HOS monitoring is not required **if**:

- The carrier operates only one regulated vehicle that is not a school bus.
- Its only driver is an individual.
  - Who is also the carrier, **or**
  - Who controls the operation that is the carrier.
- The carrier maintains compliant RODS and no HOS violations are identified; **and**
- The carrier maintains the record at the chief place of business for a period of 6 months.
  - Select **"N/A"** for monitoring by motor carrier on the Driver Record & HOS and Summary of Audit Section Scores worksheets.

#### AND/OR

- The driver drives within a radius of 160 km of the home terminal.
- The driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off duty time.
- The carrier maintains compliant RODS and no HOS violations are identified; **and**
- The carrier maintains the record at the chief place of business for a period of 6 months.
  - Select **"N/A"** for monitoring by motor carrier on the Driver Record & HOS and Summary of Audit Section Scores worksheets.

## Conducting The Audit

- Examine the HOS monitoring report for each driver sampled.
- Examine the documented remedial actions taken for non-compliance report.
- Compare the monitoring report against the remedial actions taken report to confirm the correction of identified non-compliance.
- Verify that forensic monitoring against supporting documents is performed within the minimum recommended schedule.

## Guidance

- Record a violation upon detection of HOS monitoring non-compliance.
- A total of 10 points will be deducted upon detection of HOS monitoring non-compliance identified within the previous six months.

## Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 10 points (1 violation count) per non-compliant driver.
- The Fine Schedule
  - Record 1 violation count per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## Recommended Forensic Monitoring Schedule

A carrier shall conduct forensic driver hours of service audits by comparing RODS against supporting documents for compliance with the regulations as recommended in the monitoring schedule below:

- Carriers with 1 to 10 drivers check every driver at least once a month for HOS violations; or
- Carriers with more than 10 drivers should check at least ten drivers plus 10 per cent of the remaining drivers monthly.
- For example, a carrier with 30 drivers would check 10 drivers plus 10 per cent of the remaining 20 drivers, for a total of 12 drivers each month.

## 6.2 DAILY HOURS COMPLIANCE

Each driver sampled will have 5 points per infraction (to a maximum of 15 points) deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
13 hour daily	Exceeds 13 hours driving in a day	Sec. 12(1)
14 hour daily	Exceeds 14 hours of on-duty time in a day	Sec. 12(2)
10 hour daily	Requires 10 hours off-duty time in a day	Sec. 14(1)

### Conducting The Audit

- Use the 13-, 14- and 10-hour rules to examine the RODS.
- Refer to SOR 2005-313, section 76 when a driver drives in an emergency or adverse weather condition.
- Record violations that occur in any **Canadian** jurisdiction.

### Guidance

- Record a violation upon detection of daily hours non-compliance.
- A total of 5 points per infraction to a maximum of 15 points will be deducted upon detection of daily hours non-compliance identified within the previous six months.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per infraction to a maximum of 15 points (3 violation counts) per non-compliant driver.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## 6.3 SHIFT HOURS COMPLIANCE

Each driver sampled will have 5 points per infraction (to a maximum of 15 points) deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
13-hour shift	Driving after the accumulation of 13 hours without taking mandatory rest	Sec. 13(1)
14-hour shift	Driving after the accumulation of 14 hours without taking mandatory rest	Sec. 13(2)
16-hour shift	Drives after 16 hours of elapsed time between mandatory rest periods	Sec. 13(3)

### Conducting The Audit

- Use the 13-, 14- and 16-hour shift rules to examine the RODS.
- Verify that the driver has not driven after 16 hours of elapsed time between periods of 8 or more consecutive hours of off duty time.
- Refer to SOR 2005-313, section 76 when a driver drives in an emergency or adverse weather condition.
- Record violations that occur in any **Canadian** jurisdiction.

### Guidance

- Record a violation upon detection of shift hours non-compliance.
- A total of 5 points per infraction to a maximum of 15 points will be deducted upon detection of shift hours non-compliance identified within the previous six months.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per infraction to a maximum of 15 points (3 violation counts) per non-compliant driver.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## 6.4 CYCLE HOURS COMPLIANCE

Each driver sampled will have 5 points per infraction (to a maximum of 15 points) deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
Cycle 1 (24 hrs in 14 days)	Requires at least 24 consecutive hours of off-duty time in the preceding 14 days	Sec. 25
Cycle 1 (70 hrs in 7 days)	Accumulated more than 70 hours on-duty time during preceding 7 days in cycle	Sec. 26
Cycle 2 (120 hrs in 14 days)	Accumulated more than 120 hours on-duty time during preceding 14 days in cycle 2	Sec. 27(a)
Cycle 2 (24 hrs off-duty time before the 70th hr)	Requires 24 consecutive hours of off-duty time before completing the 70th on-duty hour	Sec. 27(b)
Cycle 1 to 2 Switch	Switched from cycle 1 to 2 without taking 36 consecutive hours off-duty	Sec. 29(1)(a)
Cycle 2 to 1 Switch	Switched from cycle 2 to 1 without taking 72 consecutive hours off-duty	Sec. 29(1)(b)

### Conducting The Audit

- Examine the driver's accumulated declared cycle hours.
- Verify the day before the beginning of the cycle to ensure the driver had adequate rest before entering the cycle.
- Refer to SOR 2005-313, section 76 when a driver drives in an emergency or adverse weather condition.
- Record violations that occur in any **Canadian** jurisdiction.

### Guidance

- Record a violation upon detection of cycle hours non-compliance.
- A total of 5 points per infraction to a maximum of 15 points will be deducted upon detection of cycle hours non-compliance identified within the previous six months.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per infraction to a maximum of 15 points (3 violation counts) per non-compliant driver.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## 6.5 REQUIRED INFORMATION COMPLIANCE

Each driver sampled will have 5 points per infraction (to a maximum of 15 points) deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
Required Info	Missing required information in accordance with the regulations	Sec. 82(1)(2)(6)

### Conducting The Audit

- Examine RODS for required information (see table for elements of inspection)
- If a driver is engaged in making deliveries in a municipality that results in several periods of driving time being interrupted by several other on-duty time, the periods of driving time may be combined and the periods of other on-duty time may be combined on the grid.
- Both driving and other on-duty time must be recorded separately on the grid.
- Supporting document time markers must align with the grid.
- Refer to SOR 2005-313, section 76 when a driver drives in an emergency or adverse weather condition.
- Record violations that occur in **any** jurisdiction.

### Guidance

- Record a violation upon detection of required information non-compliance.
- A total of 5 points per infraction to a maximum of 15 points will be deducted upon detection of required information non-compliance identified within the previous six months.

### Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per infraction to a maximum of 15 points (3 violation counts) per non-compliant driver.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- Do not record a violation for printed name if the signature is legible.

## 6.6 REQUIRED INFORMATION ELEMENTS OF INSPECTION

Ensure Completion Of:	Evaluation Criteria:
<p>Are the RODS completed in accordance with regulations by ensuring legible completion of the date? SOR/2005-313, Section 82(1)(a)</p>	<p>All ROD must be dated legibly and correctly.</p>
<p>Are the RODS completed in accordance with regulations by ensuring the legible completion of the name of the driver? SOR/2005-313, Section 82(1)(a)</p>	<p>Driver name to be entered legibly on all RODS Must use legal name.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of the odometer reading at the beginning and the end of the day? SOR/2005-313, Section 82(1)(d).</p>	<p>Odometer reading must be legibly recorded on all RODS, unless shown as broken on the trip inspection (a timely repair must also be shown for this to apply). Must be recorded as a defect in the trip inspection report.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of total distance driven by the driver during the day (excluding the distance driven in respect of the driver's personal use of the vehicle)? SOR/2005-313, Section 82(3).</p>	<p>Total distance must be legibly shown on all RODS, the driver's estimate of total kilometres is acceptable for a reasonable period when the odometer is broken.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of commercial motor vehicle licence plate or unit number? SOR/2005-313, Section 82(1)(c).</p>	<p>Must be legibly recorded on all RODS for power units and trailers.</p>
<p>Are the RODS completed in accordance with regulations by ensuring legible completion of name of every carrier with whom the driver worked or with whom the driver was otherwise engaged during the day? SOR/2005-313, Section 82(1)(e).</p>	<p>Full legal NSC name must be legibly recorded on all RODS.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of start of the period covered by the record of duty status where it is different than midnight? SOR/2005-313, Section 82(1)(a).</p>	<p>If the period covered by RODS is other than midnight to midnight, the RODS must show the actual 24-hour period. For example, noon to noon.</p>
<p>Are the RODS completed in accordance with regulations by ensuring legible completion of home terminal address and principal place of business of each carrier for whom the driver worked or was otherwise engaged during the day? SOR/2005-313, Section 82(1)(e).</p>	<p>Must legibly show the home terminal address and principal place of business on all RODS. The address should be the complete address as it shows on NSC records.</p>



Ensure Completion Of:	Evaluation Criteria:
<p>Are the RODS completed in accordance with regulations by ensuring completion of total hours spent in each period of duty status? SOR/2005-313, Section 82(3).</p>	<p>All RODS must be accurately recorded to the ¼ hour.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of signature of driver? SOR/2005-313, Section 82(3).</p>	<p>At time of audit, must be present on all RODS.  In the case of electronic signatures are acceptable.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion of the graph by drawing a continuous line between the appropriate time markers on the graph grid to record each period of the driver's duty status in accordance with schedule 2. SOR/2005-313, Schedule 2.</p>	<p>The horizontal lines joining the vertical time markers must be present and completed for the entire 24-hour period.  If the driver has been doing local deliveries (bundling), the time should be recorded as on-duty and estimated time should be recorded in the driving section.</p>
<p>Are the RODS completed in accordance with regulations by ensuring legible completion of the name of the municipality or location on a highway and the name of the province or state where a change in duty status occurs, and recorded as the aggregate of all on duty time in that municipality or location, other than driving time as a continuous line? SOR/2005-313, Schedule 2.</p>	<p>All RODS must show clearly where the driver was.  No city/municipality abbreviations may be used.</p>
<p>Are the RODS completed in accordance with regulations by ensuring completion in the "Remarks" section:</p> <ul style="list-style-type: none"> <li>• Total on-duty and off-duty hours in the previous 14 days if a record of duty status was not required.</li> </ul> <p>SOR/2005-313, Section 82(1)(f). And/or</p> <ul style="list-style-type: none"> <li>• The driver is deferring off duty time and whether the driver is driving under day 1 or day 2?</li> </ul> <p>SOR/2005-313, Section 82(1)(g).</p>	<p>Total on-duty and off-duty hours that were accumulated by the driver each day during the previous 14 days must be entered in the "Remarks" section of the RODS on the day the driver no longer qualifies for the 160 km radius exemption.  Deferral and day 1 or 2 must be recorded in the "Remarks" section of the RODS.</p>
<p>Are the RODS completed in accordance with regulations by ensuring that the driver has recorded the odometer reading at the beginning and end in respect of the driver's personal use of the vehicle? SOR/2005-313, Section 2(1)(e).</p>	<p>The driver must note the odometer reading at the beginning and end of the personal use of a commercial vehicle. The distance is not to exceed 75 km in a day.</p>

## 6.7 FALSE (RODS)

Each driver sampled will have 10 points per infraction (to a maximum of 30 points) deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
False / inaccurate RODS	Supporting documents do not validate or are contrary to the RODS	Sec. 86(2)
False / inaccurate RODS	Falsify, mutilate, or deface a RODS or supporting documents	Sec. 86(2)
On-duty time	On-duty activity is performed in sleeper berth or off- duty status	Sec. 86(2)
Insufficient on-duty time	On-duty activities such as fueling, Commercial Vehicle Trip Inspection, loading/unloading is performed in less than 15 minutes	Sec. 86(2)
Calculated average speed	<ul style="list-style-type: none"> <li>If the over speed is more than 10 km over the posted highway speed limit</li> <li>If after adding 15 minutes to the travel time, the time over distance speed is more than the calculated average speed</li> </ul>	Sec. 86(2)
Fuel	If a fuel receipt or statement time or location is more than 30 minutes from the recorded time or location	Sec. 86(2)
Odometer gaps	“End Odometer” of the current day, and the “Start Odometer” of the next day identify unsubstantiated discrepancies.	Sec. 86(2)
Personal use	The vehicle is loaded, trailer attached, distance exceeds 75 km, missing start/end odometer reading, or driver is out of service	Sec. 86(2)
ELD tampering	ELD has been tampered with so that the device does not accurately record and retain the required data	Sec. 86(3)

## 6.8 MISSING, SUPP DOCUMENTS, DUPLICATE, or 4th FALSE (RODS)

Each driver sampled will have 100 points deducted upon detection of an infraction in the following area(s):

Description of Violation	Conditions	Regulation SOR 2005-313
Missing RODS	Any missing RODS in the sample month	Sec. 84(b)
Missing Exempt RODS	Any missing exempt RODS in the sample month	Sec. 81(2)(c)
Supporting Documents	Supporting documents not provided upon request	Sec. 84(c)
Duplicate RODS	Any duplicate RODS in the audit sample month	Sec. 86(1)
4 or more False RODS	Detection of 4 or more false RODS in the sample month	Sec. 86(2) (policy)

## Conducting The Audit

- Examine the **same calendar month** sample of RODS for each driver.
- Compare RODS against supporting documents to confirm RODS are true and accurate.
- Review the time/distance (i.e., the travel between two known points) to determine the average speed.
- Review odometer readings for missing mileage or unreported personal use.
- Supporting documents include payroll, fuel, co-driver RODS, bills of lading, repair receipts, toll receipts, fax receipts, scale tickets, CVSAs, hotel receipts, etc.

## Supporting Documents

- **Supporting documents** are documents or information recorded or stored by any means that are required to assess compliance with the hours-of-service regulations, sec 99(1) and CVSAs.
- Where applicable, examine any time dated document that will put a driver in each location at a given time such as dispatch records, highway tolls, ferry receipts, and weigh scale slips.
- Determine how drivers are paid then compare mileage on trips against payroll records.

## Guidance

- Record a violation upon detection of HOS falsification non-compliance.
- A total of 10 points per infraction to a maximum of 30 points will be deducted upon detection of HOS falsification non-compliance identified within the previous six months.

## Recording Report Violations for Each Non-Compliant Driver Sampled

- The Summary by Audit Section Scores Report
- Deduct 10 points (1 violation count) per infraction to a maximum of 30 points (3 violation counts) per non-compliant driver.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant driver.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant driver regardless of applied discretion.

## PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- There are no RODS for the day(s) the driver normally has off-duty (ex. Sat-Sun), unless there is evidence the driver was on-duty during that period.

## 6.9 REFUSE ACCESS OR FAIL TO PROVIDE REQUESTED SUPPORTING DOCUMENTS

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Each driver sampled will have 100 points deducted in the hours-of-service section when requested supporting documents are mutilated, obscured, altered, deleted, destroyed or not provided.

## 6.10 HOURS OF SERVICE (HOS) RECORD RETENTION

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A carrier infraction will be recorded upon detection of an infraction in the following area(s):

Description of Violation		Regulation SOR 2005-313
RODS (Home terminal)	A driver shall, within 20 days, forward the RODS to the home terminal	Sec. 85(1)
RODS (Principal place of business)	The carrier shall, deposit RODS at its principal place of business within 30 days after receiving them	Sec. 85(3)
RODS (Chronological order)	The carrier shall, keep RODS in chronological order for a period of 6 months	Sec. 85(3)
Supporting documents	Supporting documents must be kept for a period of 6 months	Sec. 85(3)

## 7. VEHICLE RECORDS SCORING RUBRIC

Each vehicle sampled is scored on the maximum points available per applicable category for vehicle records. Points will be deducted upon detection of an infraction in the following area(s):

Section	Description	Maximum Points Available
Vehicle Records	Scheduled preventative maintenance and inspection	60 (reduced 20 pts per infraction)
	Commercial Vehicle Safety Alliance (CVSA) inspection	5
	Commercial Vehicle Trip Inspection	5
	Periodic Mandatory Vehicle Inspection (PMVI)	30
	Refuse access or fail to provide requested supporting documents	100
<b>Total</b>		<b>100</b>

### Vehicle Maintenance Operations

A carrier shall ensure that all regulated vehicles are in safe operating condition before being operated on a public highway, and that no vehicle is dispatched in unsafe condition.

Under the NSC, a carrier must maintain the following records for a minimum of two years, and for at least a further six months after the vehicle has left the control of the carrier.

The records shall contain a description of the service or repairs completed along with the date and odometer reading of the vehicle.

### Scheduled Preventative Maintenance & Inspection (SPM&I) Program

The carrier shall establish and maintain a schedule of regular maintenance on all regulated vehicles. The carrier may consider the manufacturer's recommended maintenance schedule when determining their program.

### Due Diligence

Points **will not** be deducted for violations found **if** the carrier has found the violation(s) and tried to have the driver comply with regulatory requirements (due diligence). The carrier **must** show evidence of enforcing disciplinary procedures to not have points deducted.

### Missing Records

- Identify any missing records and allow the carrier the opportunity to locate and provide the missing record during the facility audit.
- Record the violation if the record is not provided during the facility audit.

## 7.1 SCHEDULED PREVENTATIVE MAINT & INSPECTION (SPM&I)

Each vehicle sampled will have 20 points (1 violation count) per infraction (to a maximum of 60 points) (3 violations counts) deducted upon detection of an infraction in the following area(s):

Description of Violation		Regulation HTA
SPM&I	60 points will be deducted for each vehicle sampled with incomplete records of SPM&I on file	Sec. 318.7(3)
SPM&I	60 points will be deducted for each vehicle sampled that does not comply with the carrier's department approved NSC record keeping compliance plan (if applicable)	Sec. 318.7(3)
SPM&I	20 points (max 60) will be deducted for each vehicle sampled that does not comply with the carrier's SPM&I interval schedule (per occurrence)	Sec. 318.7(3)
SPM&I	20 points (max 60) will be deducted for each vehicle sampled with missing required info (odometer, VIN/plate, date, and description of work completed)	Sec. 318.7(3)
SPM&I	20 points (max 60) will be deducted for each vehicle sampled with missing records of CVSA vehicle defect repair	Sec. 318.7(3)

### Conducting The Audit

- Identify service gaps, anomalies, trends, or violations.
- Vehicles used for storage, OOS, disposed of or inactive for 6 months or more will not be included in the audit sample.
- Review repair record to confirm CVSA defects were repaired within required period.
- A violation will be recorded when a vehicle has been sold, destroyed, or returned to the lessor, and its SPM&I records are not maintained for a period of 6 months.

### Guidance

- Record a violation upon detection of SPM&I non-compliance.
- A total of 20 points per infraction to a maximum of 60 points will be deducted upon detection of SPM&I non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Vehicle Sampled

- The Summary by Audit Section Scores Report
- Deduct 20 points (1 violation count) per infraction to a maximum of 60 points (3 violation counts) per non-compliant vehicle.
- The Fine Schedule
  - Record up to a maximum of 3 violations counts per non-compliant vehicle.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant vehicle regardless of applied discretion.

### PARAMETERS OF DISCRETION / CONSIDERATION

As a matter of policy, points will not be deducted if:

- SPM&I intervals are within tolerance levels specified in Appendix "B" (see page 73)
- The carrier can explain large gaps in the SPM&I schedule.
- There is evidence that all SPM&I records for a sold vehicle have been transferred to the new owner.

## 7.2 COMMERCIAL VEHICLE SAFETY ALLIANCE (CVSA) INSPECTION

Each vehicle sampled will have 5 points (1 violation count) deducted upon detection of an infraction in the following area(s):

Description of Violation		Regulation MR 119/2014
CVSA	Any CVSA inspection report(s) identified in the carrier's profile for the previous 24 months that are not maintained on file (if applicable)	Sec. 6.1(2)

### Conducting The Audit

- Examine CVSA inspection report(s) and maintenance/repair documents for evidence of vehicle repair for minor/major vehicle defects.

### Not Applicable

- The carrier profile does not contain any CVSA inspection(s) for the previous 24 months.
  - Select **"N/A"** for CVSA on the Vehicle Record and Summary of Audit Section Scores worksheets.

### Guidance

- Record a violation upon detection of CVSA non-compliance.
- A total of 5 points will be deducted upon detection of CVSA non-compliance identified within the previous two years.

### Recording Report Violations for Each Non-Compliant Vehicle Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per non-compliant vehicle.
- The Fine Schedule
  - Record 1 violation counts per non-compliant vehicle.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant vehicle regardless of applied discretion.

## 7.3 COMMERCIAL VEHICLE TRIP INSPECTION

Each vehicle sampled will have 5 points deducted upon detection of an infraction in the following area(s):

Description of Violation		Regulation MR 95/2008
Not inspected	The vehicle was not inspected as required	Sec. 4(a)
Required info	Fail to enter complete information on inspection report	Sec. 12(1)
Major defect	Vehicle operated with a major defect	Sec. 18(1)
Minor defect	Vehicle operated with a minor defect	Sec. 19(2)
False report	False or misleading inspection report	Sec. 23
Report	Mutilated, altered or defaced inspection report	Sec. 24

### Conducting The Audit

- Regulated vehicles must be inspected for defects” every 24 hours that the vehicle is in service.
- If required, examine trip inspection reports.
- Lack of trip inspection documents should be spot checked against other supporting material (CVSAs, PMVIs, accidents, convictions, etc.) to ensure that the vehicle was indeed not in use at that time.
- Evidence that the vehicle was operated on a highway can be confirmed by being matched to hours-of-service records and other supporting documents indicating that the vehicle was in use.
- Conduct RODS analysis for missing required information.

### Not Applicable

A **written** inspection report is not required **if**:

- The vehicle is operated solely within 160 km of the home terminal where the driver reports to work: **or**
- It is the only CMV (that is not a school bus) operated by the carrier, and the only driver is also the carrier or the person who controls the carrier.
  - Select “**N/A**” for trip inspection on the Vehicle Record and Summary of Audit Section Scores worksheets.

### Guidance

- Record a violation upon detection of trip inspection non-compliance.
- A total of 5 points will be deducted upon detection of trip inspection non-compliance identified within the previous six months.

### Recording Report Violations for Each Non-Compliant Vehicle Sampled

- The Summary by Audit Section Scores Report
  - Deduct 5 points (1 violation count) per non-compliant vehicle.
- The Fine Schedule
  - Record 1 violation counts per non-compliant vehicle.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant vehicle regardless of applied discretion.



## 7.4 PERIODIC MANDATORY VEHICLE INSPECTION (PMVI)

Each vehicle sampled will have 30 points deducted upon detection of an infraction in the following area(s):

Description of Violation		Regulation MR 76/94
Operating without a PMVI	There is evidence that a vehicle was operated on a highway without a valid PMVI	Sec. 3(1)
Fail to provide PMVI	Fail to provide a PMVI inspection certificate within a reasonable time	Sec. 3(4)

### Conducting The Audit

- Examine the PMVI inspection certificate for each selected vehicle.
- Compare repair defects on the PMVI report against repair records to verify repairs are complete.
- Evaluate defects recorded on PMVI reports to determine if these defects were identified on pre-trip inspection reports or if they should have been addressed in the carrier's SPM&I program.

### Exception

MR 76/94, Section 3.3 authorizes a regulated vehicle to:

- Deliver it to an inspection station or place for repair with written authority of the registrar or
- to test it after repairs if dealer or repair plates are displayed.
- Demonstrate it for sale if it is a new vehicle and dealer plates are displayed.

### Excluded Vehicles from PMVI (Sec 2.1)

- Farm trailer, truck, registered as a farm truck, and is not a truck tractor.
- Truck tractor, registered as a farm truck with a GVRW less than 21,952 kgs.
- A motor vehicle or trailer designed or modified for mobile living.
- A regulated passenger vehicle owned by an individual and used solely for personal use.
- A vehicle, registered by registration card restricts its use to highways in and adjoining remote communities.
- A new vehicle in transit between the facilities of the manufacturer, wholesaler and/or retailer antique vehicles.
- A vehicle used in a public transportation system owned or operated on behalf of the City of Winnipeg or Brandon.

### Guidance

- Record a violation upon detection of PMVI non-compliance.
- A total of 30 points will be deducted upon detection of PMVI non-compliance identified within the applicable vehicle inspection schedule.

### Recording Report Violations for Each Non-Compliant Vehicle Sampled

- The Summary by Audit Section Scores Report
  - Deduct 30 points (1 violation count) per non-compliant vehicle.
- The Fine Schedule
  - Record 1 violation counts per non-compliant vehicle.
- The Summary of Violations Report
  - Record all identified violation(s) per non-compliant vehicle regardless of applied discretion.

## 7.5 REFUSE ACCESS OR FAIL TO PROVIDE REQUESTED SUPPORTING DOCUMENTS

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Each vehicle sampled will have 100 points deducted in the vehicle record section when requested supporting documents are mutilated, obscured, altered, deleted, destroyed, or not provided.

## 7.6 VEHICLE RECORD RETENTION

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A *carrier* infraction will be recorded upon detection of an infraction in the following area(s):

Description of Violation		Regulation
SPM&I, vehicle repair and manufacturer recall notices	Records must be kept for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(1)
CVSA	Records must be kept for a minimum period of 2 years	<a href="#">MR 119/2014</a> Sec. 6.1(2)
Commercial vehicle trip inspection	Records must be maintained for at least 6 months after the date that the report was prepared	<a href="#">MR 95/2008</a> Sec. 22
PMVI	The vehicle's operator must retain the (current) inspection certificate until the classified vehicle is next inspected	<a href="#">MR 76/94</a> Sec. 3(5)
Vehicles leaving the carrier's control	Records must be kept for a minimum period of 6 months	<a href="#">NSC Standard 11</a> Part "A" Sec. 1(c)

## 8. RECORD OF DUTY STATUS (RODS)

### 8.1 What is a Record of Duty Status?

Commercial motor vehicle drivers must document their duty status times each day. There are four ways to record this information:

- Electronic Logging Device (ELD) - Required as of June 12, 2021
- Paper RODS
- Electronic RODS (E.g., Computer Generated Logbook)



### 8.2 Who is a Driver?

A driver is a person who has driven, drives or intends to drive a commercial motor vehicle. All drivers must complete a RODS each day that accounts for all the driver's on-duty time and off-duty time for that day.

The only drivers who do not need to fill out a RODS are those who qualify for an exemption (discussed later in this section).

### 8.3 Electronic Logging Device (ELD)

As of June 12, 2021, commercial vehicle drivers must use an electronic logging device. This device is installed in a commercial vehicle and records each period of duty status for the driver.

ELD's are designed to:

- Be integrally synchronized with the engine of the CMV such that driving time can be automatically recorded for the driver driving the CMV and using the ELD.
- Allow for manual inputs from the driver and the motor carrier support personnel and to automatically capture date and time, vehicle position and vehicle operational parameters.
- Record a driver's electronic RODS and other supporting events with the required data elements specified in the Technical Standard.
- Generate a standard output file and transfer it to an inspector upon request.
- Specify the minimal required data elements that must be part of an event record such that a standard ELD output file can be produced by all compliant ELDs.

## 8.4 What is an Electronic Logging Device (ELD)?

An electronic logging device, or ELD, is a device or technology that automatically records a driver's driving time and facilitates the recording of the driver's record of duty status, and that is certified by an accredited certification body under section 79.1 of the Regulation.

An ELD may be implemented as a stand-alone technology or within another electronic device. It may be permanently installed in a commercial vehicle or may be implemented on a handheld unit that may be moved from vehicle to vehicle.

The ELD is connected to the vehicle's electronic control module (ECM) via hardwired or wireless connection. The device is mounted in a fixed position during the operation of the commercial vehicle and is visible to the driver when the driver is in the normal driving position.

## 8.5 Who Will Need an ELD?

Commercial/regulated vehicle operators, who are currently required to use a Record of Duty Status (RODS) or logbook to record their HOS will be required to use an ELD.

Commercial/regulated vehicles crossing provincial boundaries, including vehicles that would otherwise be exempt when travelling within Manitoba, will be required to use an ELD, unless specifically exempted under the federal regulation.

The federal regulation outlines some exceptions to the ELD requirement for commercial/regulated vehicles crossing provincial boundaries. Via the adoption of the federal regulation, the following exemptions also apply to carriers and vehicles operating solely within Manitoba:

- A motor carrier operating under a permit specifically allowing for an exemption.
- A motor carrier to which there is an [existing exemption to hours of service requirements](#).
- Vehicles that are subject to a lease/rental agreement that is no longer than 30 days, and
- A vehicle manufactured prior to the year 2000. (NOTE: model year 2000 or newer vehicles but with a pre-2000 engine are not exempt).

## 8.6 Technical Standard for Electronic Logging Devices

The Federal Commercial Vehicle Drivers Hours of Service Regulations requires that a motor carrier shall ensure that each commercial vehicle that is operated by it, is equipped with an ELD that meets the requirements of the [Technical Standard for Electronic Logging Devices](#).

The key elements for the Technical Standard are as follows:

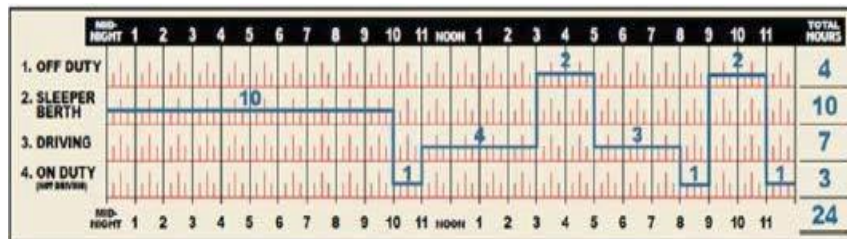
- It is tailored to requirements under current Canadian HOS regulations; it does not provide requirements over and above HOS provisions or necessarily include or require all features that can be offered by ELD manufacturers.
- It ensures consistency and interoperability by adapting the U.S. ELD final rule to Canada's own unique operational and regulatory requirements.
- It meets the minimum HOS regulatory and operational requirements for most motor carriers that would use ELDs but is not necessarily tailored to all HOS regulatory provisions (i.e., exclusive of operations under permits).

- The ELD must be integrally synchronized with the engine of the Commercial Motor Vehicle (CMV) and include a location sensor (GPS).

The driver shall record for each day, in accordance with the Regulations and the Technical Standard, all the information associated with their record of duty status as their duty status changes.

### 8.7 Electronic Logging Device Functionality

- Must be integrally synchronized with the specific operations of the CMV.
- Shall produce, upon demand, driver's HOS chart, electronic display, or printout of time and sequence of duty status changes, including start time at the beginning of each day.
- ELD must be designed to be reasonably viewed without entering the CMV.
- Not required to be printed if there is a display.
- Specific display requirements.
- The ELD must be able to transfer files by telematics (email) with an option of local transfer (USB or Bluetooth).
- Allows for edits and annotations but must keep original entries.
- Displays malfunctions (for all users of the device) and data diagnostic (for all unidentified driver events and events under the current driver) events.
- Must produce RODS in a graph-grid format (minimum 4 cm x 15 cm when printed).



Drivers are required to produce for inspection RODS for the current day and the preceding 14 days in their existing format.

For records in electronic format, the driver shall produce either the display or a printout of the records and, if requested by the inspector to transmit the RODS, shall transmit them by the transfer method identified by the inspector that is provided for in the Technical Standard and is supported by the ELD.

## 8.8 Specific ELD Display Requirements

An ELD must display and printout the following information:

- Date of Record
- Day Starting Time
- Starting Odometer
- Ending Odometer
- Carrier Name and Address(s)
- Driver Name
- Driver ID
- Driver License Jurisdiction
- Driver License Number
- Co-Driver Name
- Co-Driver ID
- Cycle
- Operating Zone
- Total Hours in Work Shift
- Total On-duty Hours in Cycle
- Remaining On-duty Hours in Cycle
- Distance Today
- Current Total Distance (Odometer)
- Current Engine Hours
- ELD Provider, ID, Authentication and Certification
- Truck Tractor ID and VIN
- Trailer ID
- Current Location
- Location Change Events
- Unidentified Driving Records
- Exempt Driver Status
- Off-Duty Time Deferral Status
- Off-Duty Time Deferred
- ELD malfunction Indicators
- Driver's Data Diagnostic Status
- Current Date and Time
- Graph Grid
- Duty Status Hours in a day
- Change of duty status events
- Use of special driving conditions
- ELD Log In/Log off Events
- Engine Power Up/Shut Down Events

An ELD display must show a graph-grid consistent with current HOS regulations showing each change of duty status.

The ELD display must meet the requirements specified in the Technical Standard. However, the display may also provide an option to allow for an inspection mode that may limit some of the data being displayed.

## Example of an ELD Header

### Printout Example – Header

Date of RODS (MM-DD-YY) 11-19-18	Day Starting Time (HH.MM.SS) 00:00:00	UTC Time Zone Offset (HH.MM) 05:00	Current Location (latitude, longitude) 6 km NNE Cornwall ON (45.06, -74.68)		Output File Comment Officer W. J. Thompson, ID 17-0123	Current Date and Time (MM-DD-YY HH.MM.SS) 11-22-18 09:34:21
Driver Name (Last, First) Smith, Richard	Driver ID (Username) sr123456	Exempt Driver Status (E: Exempt, 0: No) 0	Driver license (No and Jurisdiction) SMIR-123456-01 (QC)		Co-Driver Name (Last, First)	Co-Driver ID (Username)
Power Unit Number (ID or Licence No & Jurisdiction) 1) 12345 2) FF98765-QC	VIN (Power Unit) 1) 1M2P267YSAM022445 2) -1FUJGHDV0CLBP8996	Total Vehicle Distance (Start – End of the Day) 1) 346470 - 346608 2) 204885 - 204998	Distance today (km) 1) 138 2) 113	Cur. Total Distance (km) 204998	Cur. Total Engine Hours (hours) 6265.4	Trailer Number (ID or Licence No & Jurisdiction) T12345 T542356 R956471-ON
Carrier Name Consolidated Truckload Inc.	Home Terminal (Address) 1234 Industrial Street, Montreal, QC, H1C 1M1	Principal Place of Business (Address) 1234 Industrial Street, Montreal, QC, H1C 1M1				
Operating Zone (1, 2, or 3) 1	Cycle (7 or 14) 7	Total Hours (in work shift) 09:15	Total Hours (in cycle) 53:30	Remaining Hours (in cycle) 16:30	Off-Duty Time Deferral (Status and time deferred) (0: none, 1: Day 1, 2: Day 2 – Time deferred: HH.MM) 1 (02:00)	
Data Diagnostic Status (Status & Diagnostic Code) 1 (Code 2)	Unidentified Driving Records (0: none, 1: active) 1	Malfunction Status (Status & Malfunction Code) 0	ELD Identifier 10012E	ELD Provider ELD Provider Inc.	ELD Certification ID ZA10	ELD Authentication Value D3A4506EC8FF566B506EC8FF566BDFBB

## ELD Event Details

An ELD must have Event Details to show duty status changes, intermediate locations and special driving events.

### Printout Example – Event Details

#### Changes in driver's Duty Status, Intermediate Logs and Special Driving Conditions (Personal Use and Yard Moves)

Date & time	Event	Geo-Location	Latitude, Longitude		Distance last val. coord.	CMV	Distance (Accum.)	Hours (Elapsed)	Distance (Total)	Record Status	Record Origin	Seq. ID
11-19-18												
00:20:12	ON	8 km SSW Montreal QC	36.99	-121.55	0	12345	0	0.0		1	1	1110
00:21:45	YM start	8 km SSW Montreal QC	36.99	-121.55	0	12345	0	0.0	346470	1	1	1111
00:52:52	YM end	8 km SSW Montreal QC	36.99	-121.55	0	12345	1	0.5	346471	1	1	1112
00:53:31	DR	8 km SSW Montreal QC	36.99	-121.55	0	12345	1	0.5		1	1	1113
01:53:31	INT	Geo-Location...	40.70	-85.46	0	12345	99	1.5		1	1	0FBB
02:53:31	INT	Geo-Location...	41.54	-85.06	0	12345	202	2.5		1	1	0FBC
03:15:28	SB	Rest Area, Mallorytown, HW 401	M	M	9	12345	233	2.9		1	1	0FBD
16:48:29	ON	Geo-Location...	45.21	-74.34	0	12345	0	0.0		1	1	0FE2
17:19:15	DR	Geo-Location...	45.21	-74.34	0	12345	0	0.2		1	1	0FE6

The ELD Event Details must show Comments, Remarks and Annotations.

Comments, Remarks and Annotations				
Date	Time	Username (originator)	Seq. No.	Comment or Annotation
20-May-18	07:41:22	sr123456	1222	Driver error

The ELD Event Details must show Login/Logout, Certification, Data Diagnostics and Malfunctions.

Login/Logout, Certification of RODS, Data Diagnostics and Malfunctions						
Date & time	Event	Additional info	CMV	Distance (Total)	Hours (Total)	Seq. ID
11-19-18						
00:18:54	Login		12345	346470	6386.1	10FF
12:05:51	Data Diagnostic (detected)	Code 2 (Engine synchronization)	12345	346804	6391.4	1096
12:08:22	Data Diagnostic (cleared)	Code 2 (Engine synchronization)	12345	346804	6391.5	1097
18:28:55	Certification of RODS	Time Zone: EST (UTC -05:00)	12345	--	--	1102
18:29:33	Logout		12345	346943	6395.8	112F
11-20-18						
07:41:22	Re-Certification of RODS (1)	Time Zone: EST (UTC -05:00)	12345	--	--	1222

The ELD Event Details must show Cycle Change, Operating Zone Change and Off-Duty Deferral Events, if applicable.

Change in Driver's Cycle, Change in Operating Zone, Off-Duty Time Deferral									
Date & time	Event	Geo-Location	Latitude, Longitude		Distance last val. coord.	CMV	Record Status	Record Origin	Seq. ID
11-19-18									
00:19:15	Cycle 1 (7 days)					12345	1	3	1089
02:05:41	Operating Zone 1 (South of latitude 60°N in Canada)	Geolocation...	45.08	-73.42	0	12345	1	1	10FF
18:27:43	Off-Duty Time Deferral Day 1 (02:00)					12345	1	1	1201

The ELD Event Details must show any additional hours for the previous 14-day period that were not recorded due to an exemption, if applicable.

Additional Hours not recorded								
Date	Work shift Start (HH:MM)	Work shift End (HH:MM)	Total Hours (On-Duty)	Total Hours (Off-Duty)	CMV	Record Status	Record Origin	Seq. ID
11-18-18	00:00	23:59	00:00	24:00	12345	1	2	104E
11-17-18	00:00	23:59	00:00	24:00	12345	1	2	104F
11-16-18	07:00	17:00	09:00	15:00	12345	1	2	1106
11-15-18	07:00	17:00	09:00	15:00	12345	1	2	1107
...					12345	1	2	1108
11-05-18	07:00	17:00	09:00	15:00	12345	1	2	1109



The Event Details must also show engine power up and shut down events.

Engine Power Up and Shut Down									
Date & time	Event	Geo-Location	Latitude, Longitude		Distance last val. coord.	CMV	Distance (Total)	Hours (Total)	Seq. ID
11-19-18									
00:18:45	Power Up	8 km SSW Montreal QC	36.99	-121.55	0	12345	346470	6386.1	0FBE
03:16:12	Shut Down	Geo-Location...	41.85	-85.00	0	12345	346525	6388.7	0FC3
06:04:22	Power Up	Geo-Location...	41.85	-85.00	0	12345	346525	6388.9	0FC4
07:40:12	Shut Down	Geo-Location...	41.85	-85.00	0	12345	346608	6389.0	0FC5
07:42:55	Power Up	Geo-Location...	41.85	-85.00	0	12345	346608	6389.1	0FC8
07:43:39	Shut Down	Geo-Location...	41.85	-85.00	0	12345	346608	6389.1	0FCC

### 8.9 ELD Recording of HOS Duty and Driving Limits

An ELD must track the total hours for each driver, each duty status and for current operating zone (North/South of 60°, U.S.), day, work shift and cycle being used.

It must automatically set the duty-/driving-hour limitations for the current operating zone, the current day, the work shift, and the cycle being used, as per prescribed limitations in the HOS regulations.

The ELD must allow for the driver to change cycles, operating zone and day start time to ensure adherence to the HOS rules for the appropriate cycle and/or location.

The ELD must allow for a driver to add hours that were not recorded for the current motor carrier. If the driver has indicated additional hours, these must also be accounted for in the ELD to notify the driver prior to any duty-/driving-hour limitation prescribed in the HOS regulations.

### 8.10 ELD Automatically Recorded Information

- Date.
- Time.
- Geographic Location.
- Engine Hours.
- Vehicle Kilometers.
- Driver identification data (CDL number, name, etc.)
- Vehicle Identification Data.
- Motor Carrier Identification Data.
- Change of duty status elements.
- Records driving time and mileage any time the vehicle is going more than 8 km/h (unless device is in yard moves, then 32km/h).
- Intermediate locations every continuous hour if the vehicle is in motion.
- Data diagnostic and malfunction events.
- The date and time that the RODS were certified or re-certified by the driver.
- Any time an authorized user logs in or logs out.

## 8.11 Driver Responsibilities

Most of the data elements and information are automatically captured by the ELD. However, there is some information the driver is required to have and/or input manually. The driver is responsible to input or verify the following:

- To log in using the Driver ID number the motor carrier provides.
- The date and the start time, if different from midnight.
- The cycle he/she is following.
- Power unit number and plate.
- Trailer number(s) or plate(s), if applicable.
- Name and addresses of the home terminal and principal place of business of the motor carrier.
- CMV location if not automatically drawn from the geo-location database.
- The previous 14 days of duty status regardless of whether a RODS was required on those days or not.
- Any deferral, if applicable.
- Any annotations that may be required to complete the RODS.

A driver shall, immediately after recording the last entry for a day, certify the accuracy of their record of duty status.

If the driver was working for more than one motor carrier during the current or previous 14 days, the driver must input the total number of hours for each duty status accumulated by the driver for each day, along with the start and end time of each 16-hour work shift. The driver must also input the start and end times of each duty status in the current day before he/she logged into the ELD.

## 8.12 Documents Required to be Carried

Each CMV must have on board an ELD information packet containing the following items:

- A user manual (may be electronic format stored within the ELD).
- An instruction sheet describing in detail the data transfer option the device is using, and a step-by-step instruction for the driver to produce and transfer the hours-of-service records to the inspector (may be electronic format stored within the ELD).
- An instruction sheet describing the ELD malfunction reporting requirements (may be electronic format if on separate device).
- A supply of blank driver's RODS graph-grids sufficient to record the driver's duty status and other related information for a minimum of 15 days (may be electronic if on separate device).

The driver must be able produce a printout or display and be able to transfer from the ELD the RODS according to the instruction sheet at the request of an inspector.

## 8.13 Edits

A driver may request to edit, enter missing information, and annotate ELD recorded events in some cases. The motor carrier may request a driver to edit the RODS after submission to ensure accuracy. The driver can accept or reject the edit and resubmit the records, and all edits must be accepted by the driver. Drivers cannot be forced to make changes to their records. Automatically recorded driving time cannot be shortened.

## 8.14 Special Driving Categories (Personal Use/Yard Move)

A driver can select one of three special driving categories. If a motor carrier authorizes a driver to operate a commercial vehicle for yard moves (YM) within a terminal, depot, or port, and that is not on a public road. This does not include truck stops. The motor carrier shall ensure that the driver's ELD has been configured so that the driver can indicate those moves.

If the driver uses personal use on an ELD, the device must record the distance and automatically switch off Personal Use (PU) when the driver reaches 75 km in a day. The ELD will record all data elements during YM and PU except for location during PU.

NOTE: The distance driven under PU will not be included in the accumulated vehicle distance displayed in the header. The distance driven under PU can be determined by subtracting the day starting odometer from the ending odometer, as well as reviewing the event log where start and end odometer readings of each PU period is recorded.

YM are recorded as on duty time and PU is recorded as off duty time. The driver is required to deselect the special driving category upon completion.

## 8.15 Exempt Driver

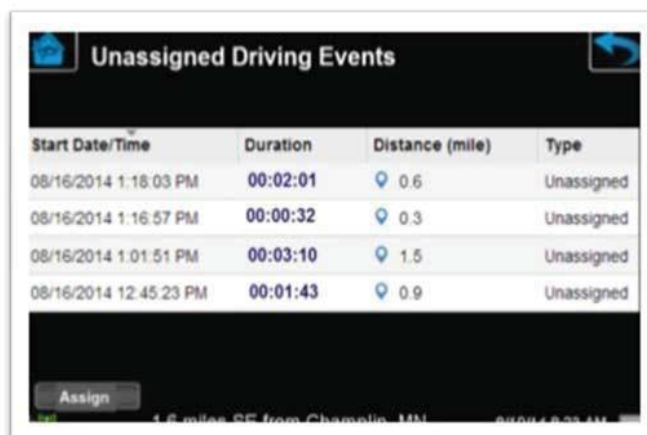
The ELD must allow a motor carrier to configure an ELD for a driver who may be exempt from the use of an ELD. An example of an exempt driver would be a driver driving under the short-haul exemption under the HOS Regulation.

Even though exempt drivers do not have to use an ELD, an ELD equipped CMV may be shared between exempt and non-exempt drivers and motor carriers can use this allowed configuration to avoid issues with unidentified driver data diagnostics errors.

## 8.16 Unidentified Driver

This is the status of the ELD when the vehicle is driven and there is no driver logged into the device. Therefore, when a driver logs into an ELD, he/she must review any unidentified drive time that appears on the ELD and determine whether the kilometers belong to him/her or if someone else drove the vehicle.

- The driver then accepts or rejects the unassigned kilometers.
- The motor carrier may suggest an edit.
- The driver may accept or reject the suggested edit.



Start Date/Time	Duration	Distance (mile)	Type
08/16/2014 1:18:03 PM	00:02:01	0.6	Unassigned
08/16/2014 1:16:57 PM	00:00:32	0.3	Unassigned
08/16/2014 1:01:51 PM	00:03:10	1.5	Unassigned
08/16/2014 12:45:23 PM	00:01:43	0.9	Unassigned

## 8.17 Malfunction Events

When an ELD malfunctions, the driver must notify the motor carrier as soon as the vehicle is parked. The driver should check the device to see if the previous 14 days are still accessible. If not, the driver should have the previous RODS emailed or faxed to him/her, if possible.

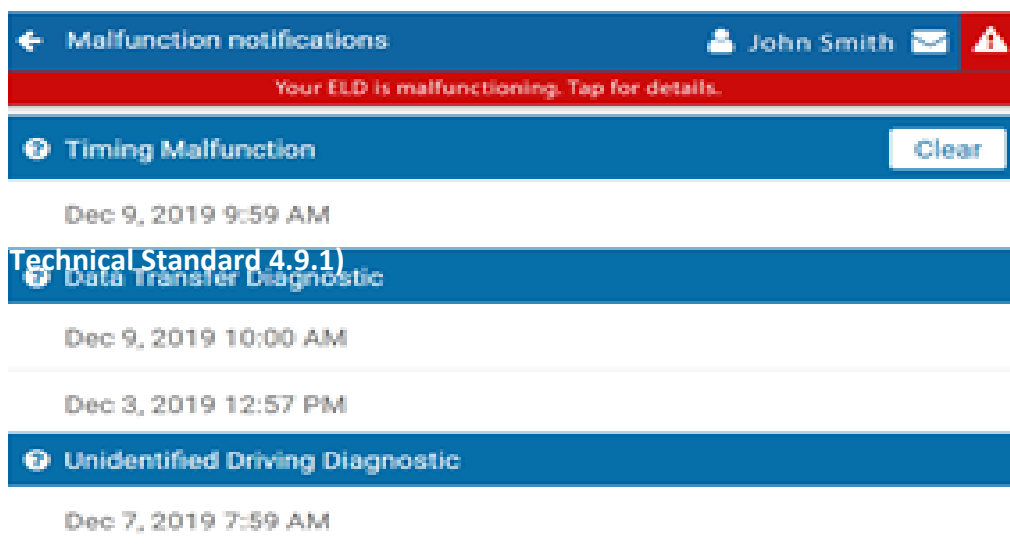
If not possible, the driver must reconstruct the previous 14 days of RODS and continue to complete alternative RODS until the device is repaired or replaced and produce them for an inspector at roadside.

On the day of the malfunction and every day following until the device is repaired, the driver must record in the RODS the malfunction code set out in the Technical Standard, the date and time the event was noticed, and the time the motor carrier was notified.

Once the motor carrier is aware of the malfunction, the device must be repaired or replaced within 14 days of the discovery. If the driver is on a planned trip that will be longer than 14 days, they have until the driver can return to the home terminal.

The motor carrier shall maintain a register of ELD malfunction events for ELDs it operates for which a malfunction was noticed, and that register shall contain the following information:

- Name of the driver who discovered the issue.
- Name of any driver who used the CMV after the discovery.
- The make, model, and serial number of the ELD.
- The license plate or VIN number of the vehicle.
- The date and location of the ELD malfunction.
- The date the motor carrier became aware of the malfunction.
- The date the ELD was repaired or replaced.
- A concise description of the actions taken by the motor carrier for replacement or repair.



## 8.18 Transfer of ELD File (Technical Standard)

Every ELD manufacturer must ensure the ELD can transmit the ELD file by email method. In addition to email, the ELD may also include a local method of either USB2 or Bluetooth.

After the inspector has examined the hours-of-service records for the driver on the device, the inspector may also request the driver to transfer the ELD file (PDF Format) at the time of inspection to him or her by one of the means listed above. The inspector may provide an output file comment to the driver to include when transferring the files.

### Transferring the File - Email

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The ELD must be able to send an encrypted email to the inspector once the driver is provided with an email address.

This file will be sent in PDF and CSV formats with a specified title in the email indicating ELD Records from "ELD Certification ID" and "ELD Identifier."



### Transferring the File - Local Transfer: USB (optional requirement)

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ELDs certified for the USB data transfer mechanism must be capable of transferring ELD records using the Universal Serial Bus Specification (Revision 2.0).

The ELD must be capable of providing power to a standard USB-compatible drive provided by an inspector during an inspection.



### Transferring the File - Local Transfer: Bluetooth (optional requirement)

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Upon request of an inspector, the ELD must become discoverable by the inspector's technology and generate a random code that the driver must share with the inspector.

An ELD must re-authenticate the driver prior to transmitting the driver's ELD output file(s) to an external device. The ELD must connect to the inspector's technology via Bluetooth and transfer the required ELD output file(s) to the Bluetooth compatible device.



### **8.19 ELD Exceptions**

A driver's RODS must be maintained on an electronic logging device unless the driver is driving under one of the following exceptions:

- The vehicle is being operated under an exemption permit.
- Operating under an exemption within the Act.
- A vehicle subject to a rental agreement for no longer than 30 days (extensions and renewals do not qualify for this exception).
- A CMV manufactured before model year 2000 as indicated by the VIN shown on the registration.
- A driver that drives and is instructed to drive within 160 km radius of his/her home terminal, providing the driver returns to the terminal at the end of the work shift for eight consecutive hours off (the motor carrier must keep track of the on- duty times of the driver and the cycle work for each day).

### **8.20 Tampering**

No motor carrier shall request, require, or allow a driver to keep, and no driver shall keep, more than one RODS in respect of any day.

No motor carrier shall request, require, or allow any person to enter, and no person shall enter, inaccurate information in a record of duty status or falsify, mutilate, obscure, alter, delete, destroy, or deface the records or supporting documents.

No motor carrier shall request, require, or allow any person to, and no person shall, disable, deactivate, disengage, jam, or otherwise block or degrade a signal transmission or reception, or re-engineer, reprogram or otherwise tamper with an ELD so that the device does not accurately record and retain the data that is required to be recorded and retained.

### **8.21 Operating Without an ELD, When One is Required**

When required, drivers driving a commercial vehicle with a RODS but not on an ELD after June 12, 2021, will be cited for the offence. If no RODS is produced, the driver will be placed out of service for as long as it takes the driver to provide a RODS.

A driver is never out of service for not having an ELD when one is required in Canada.

### **8.22 How Does the ELD Mandate Apply to Rented and Leased Trucks?**

Carriers and their drivers must obey the HOS regulations, including the ELD mandate. Equipment providers, as in leasing and rental companies, are not covered by these regulations as they are not carriers and they do not employ the driver driving the vehicle. An ELD is only required if the driver operating the vehicle is required to use an ELD.

### **8.23 Rental and Leased Truck Exemption**

If the carrier puts a driver that must use an ELD into a rented or leased truck, it is up to the carrier to make sure the vehicle has an ELD. The only exception applies to a rental agreement that is no longer than 30 days that is not an extended or renewed rental of the same vehicle. In this case, the driver can use paper logs while operating the rented vehicle.

**To use the rental and leased truck exemption:**

- The driver must have a copy of the “rental agreement”,
- The rental agreement must identify the carrier and the dates of the rental period (and the rental period is 30 days or less in duration), and
- The driver must have records of duty status for the previous 14 days (printouts from a previously used ELD system are acceptable).

If an investigator determines that a carrier has replaced one rental unit that has reached the end of the 30-day period with another rental vehicle to avoid complying with ELD requirements, the carrier will be in violation for not using ELDs when required.

## **8.24 Records of Duty Status - Other Than ELDs**

When a driver is not required to use an ELD to record their record of duty status, their time can be recorded and maintained in accordance with Section 82. These RODS can be paper, an electronic recording device or on another electronic device such as a tablet, smartphone, or laptop with logging software.

**At the start of each day, a driver must record at least the following on the RODS:**

- Date and start time of the day (i.e., hour at which day begins if different from midnight). Start time means the start time of the day not the start time of the shift.
- Name of driver and, if driver is a member of a team of drivers, the names of the co-drivers.
- Cycle that the driver is following (i.e., Cycle 1 or Cycle 2). The driver does not need to include recaps for the cycles (i.e., previous 6 or 13 days).
- (Note: A driver operating under an oil well service vehicle permit does not need to record the cycle.)
- Commercial vehicle licence plates or unit numbers (of each power unit used during the day).
- Odometer reading of each commercial vehicle driven by the driver.
- Names and addresses of the home terminal and principal place of business of every motor carrier for whom the driver will work during the day. A driver can abbreviate the names of provinces/territories, states and countries but cannot abbreviate the names of cities.
- The home terminal is the location where a driver ordinarily reports for work. The motor carrier determines the site for the home terminal, and it can include locations such as the driver's residence, a shipper's facility, or a temporary work site.
- The principal place of business is the location where the motor carrier keeps records of duty status, supporting documents and other relevant records required by these Regulations.

"Remarks" section of the RODS - if the driver was not required to keep a RODS before the current day (i.e., was using the radius exemption discussed later in this module), the driver must record the number of hours of off-duty time and on-duty time for each day during the previous 14 days.

"Remarks" section of the RODS - if applicable, the driver must record the use of the off-duty time deferral and whether the driver is driving under Day 1 or Day 2 of the deferral.

**During the day, a driver must record the following in the record of duty status:**

- Hours for each duty status (Off-duty time, other than time spent in a sleeper berth; Off-duty time spent in a sleeper berth; Driving time; On-duty time, other than driving time) to at least the nearest 15-minute increment.
- If a driver is engaged in making deliveries in a municipality that results in a few periods of driving time being interrupted by several short periods of other on- duty time, the periods of driving time may be combined and the periods of other on- duty time may be combined on the grid.
- The interruptions to driving time must be followed by on-duty time and not off-duty to be counted. These interruptions are to be brief and last only for short periods of 15-30 minutes maximum. All deliveries for the day must take place within the same municipality.
- Location of the driver every time the duty status changes. The driver needs to record the name of the municipality or record the location on a highway or in a legal sub-division, and the province or state. The driver can abbreviate the name of a province/state but not the name of a municipality.
- The driver cannot use only a GPS location ID, although a driver can add it as extra information to clarify a municipal or a highway location.
- The driver does not need to provide a description of his/her activities at the location (e.g., trip inspection), but the driver can add this extra information if desired.

**At the end of each day, a driver must record the following:**

- Total hours for each duty status.
- Total distance driven by the driver that day, excluding any distance driven for personal use (refer to Exemptions section regarding commercial vehicle used for personal use).
- Odometer reading at the end of the day.
- Driver signature verifying the RODS accuracy. A driver cannot use a rubber stamp signature on the RODS. The RODS must have the signature of the driver who prepared it.



## 8.25 Summary of Record of Duty Status Requirements

Time of Day	Record of Duty Status Requirements
Start of Day	<ul style="list-style-type: none"> <li>• Date and start time of the day (if other than midnight).</li> <li>• Driver name and co-driver name (if applicable).</li> <li>• Declaration of Cycle 1 or Cycle 2.</li> <li>• Licence (unit) number(s) of commercial vehicle(s).</li> <li>• Odometer reading at start of day.</li> <li>• Motor carrier name and principal place of business address.</li> <li>• Home terminal address of motor carrier.</li> <li>• "Remarks" section - Off-duty deferral used and if Day 1 or Day 2 (if applicable).</li> <li>• "Remarks" section - Total number of on-duty and off-duty hours on any day during the previous 14-day period when a RODS was not required.</li> </ul>
During the day (as information becomes known)	<ul style="list-style-type: none"> <li>• Hours for each duty status.</li> <li>• Locations at each change of duty status (name of municipality or location on highway or in a legal sub-division and name of province / state).</li> <li>• Graph grid with a continuous line between the markers.</li> <li>• Start and end odometer readings when commercial vehicle used for personal use.</li> <li>• "Remarks" section - any extension to driving, on-duty or elapsed time (work shift) because of an emergency or adverse driving conditions (state reason).</li> </ul>
At the end of the day	<ul style="list-style-type: none"> <li>• Total hours for each duty status (24 hours total).</li> <li>• Odometer reading at end of day.</li> <li>• Total distance driven excluding any distance driven for personal use.</li> <li>• Driver signature.</li> </ul>

## 8.26 Record of Duty Status Formats

A driver can use the Canadian bilingual, U.S., or any other record of duty status, if it includes at least the information listed in section 8.24.

Motor carriers may also use their own version of the record of duty status and the graph grid. For example, a carrier may choose to print a graph grid with a start hour other than midnight, if the carrier routinely designates the start of the day as some time other than midnight (example: a noon start time for the day).

# Example #1

## MOTOR VEHICLE OPERATOR'S DAILY LOG

Date: \_\_\_\_\_

Motor Carrier:		Odometer Finish	
Principal Place of Business Address:	Vehicle Plate or Unit # (Show All Units)	Odometer Start	
Home Terminal Address:	Cycle 1 (7 days)	Cycle 2 (14 days)	Total Distance Driven Today km/ml

	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Off-duty time other than in sleeper berth	[Vertical tick marks]																								
Off-duty time in sleeper berth	[Vertical tick marks]																								
Driving time	[Vertical tick marks]																								
On-duty time other than driving time	[Vertical tick marks]																								

Total \_\_\_\_\_

REMARKS

DAILY DEFERRAL USED: \_\_\_\_ Day 1 \_\_\_\_ Day 2

Other Motor Carrier (Name & Address)

\_\_\_\_\_  
 \_\_\_\_\_

Name of Co-Driver \_\_\_\_\_

PERSONAL USE OF COMMERCIAL VEHICLE	
Start Odometer	End Odometer

### PREVIOUS DAYS' TIME RECORDS

Previous Day (first = 1)	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total Hours On-Duty														
Total Hours Off-Duty														

Printed Name of Driver

Signature of Driver (Certified True & Correct)

## 8.27 What are the Rules Regarding the Possession of Records of Duty Status?

**Drivers who need to fill out a RODS must possess the following before they start to drive:**

- A copy of the RODS for the preceding 14 days.
- (Note: A driver driving under an oil well service permit must also possess copies of the RODS related to the required 3 periods of 24 consecutive hours of off-duty time in any period of 24 days.)
- The RODS for the current day, completed up to the time when the driver's last change of duty status occurred.
- For example, a driver starts the day at midnight, drives for 4 hours, and then stops for breakfast for 1 hour.
- Before starting to drive, the driver ensures that the RODS contains all the "Start of Day" information.
- When the driver stops for breakfast, the driver records the driving time from midnight to 0400.
- Before resuming driving (at 0500), the driver records 1 hour of off-duty time.
- Any supporting documents or relevant records that the driver receives during the current trip. The current trip usually starts when the driver leaves the carrier's home terminal.

Examples of supporting documents include receipts for meals, fuel, or repairs; bills of lading; violation tickets and roadside inspections.

If a driver drives through the midnight hour ("day" starts at midnight), the driver does not have to stop at midnight to total the RODS hours, record mileage and sign the RODS for that day.

The driver can complete all these activities at the first opportunity when the driver's duty status changes on the new "day."

## 8.28 What are the Rules Regarding the Production of Records of Duty Status?

**At the request of an Inspector, a driver must immediately produce at least the following:**

- Record of duty status and supporting documents and other relevant records for the current trip.
- Record of duty status for the preceding 14 days.
- Any permit under which the driver is operating.

If the commercial vehicle has an electronic recording device, the driver must retrieve the information stored by the device for each day that it recorded information. If an Inspector cannot understand the information from the electronic recording device, the driver must provide the information in written form. We will discuss electronic recording devices later in this module.

**If the Inspector wants additional time to review the documents, the driver must give the Inspector:**

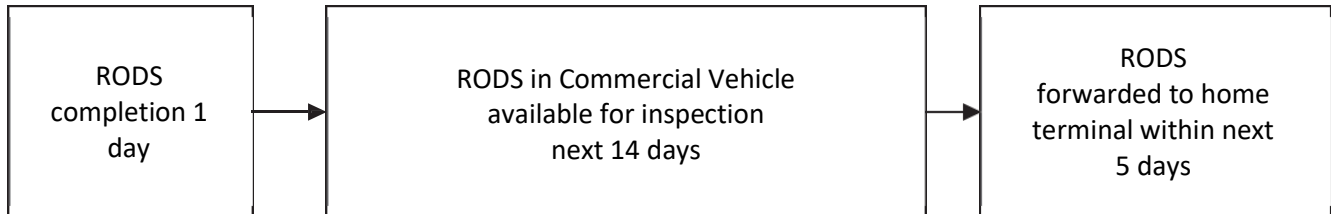
- A copy of each of the records of duty status, supporting documents and other relevant records for the preceding 14 days, as well as any permit(s) under which the driver is operating,  
*Or*
- The originals if it is not possible to make copies.

The Inspector will give the driver a receipt for the copies of the record of duty status, supporting documents and other relevant records.

### 8.29 What are the Rules Regarding the Distribution and Keeping of Record of Duty Status?

Within 20 days after completing a RODS, the driver must forward the original record of duty status and supporting documents to the home terminal.

Given that a driver must be able to immediately produce record of duty status for the preceding 14 days at the request of an Inspector, the timeline for a record of duty status is as follows:



When working for multiple carriers, a driver cannot retain separate record of duty status for each carrier. If the driver works for more than one motor carrier, within 20 days after completing the record of duty status showing the combined off-duty and on-duty hours, **the driver must:**

- Forward the original of each RODS to the home terminal of the first motor carrier for whom the driver worked, and a copy to the home terminal of each other motor carrier.
- Forward the original supporting documents to the home terminal of the applicable motor carrier.

The motor carrier will keep the record of duty status and supporting documents in chronological order for each driver for a minimum of 6 months.

### 8.30 What are the Rules Regarding the Tampering with Record of Duty Status?

It is a violation of the Federal Commercial Vehicle Drivers Hours of Service Regulations to tamper with the RODS. Tampering with the RODS includes any of the following activities:

- Driver keeps more than one RODS for any day.
- Driver records inaccurate information in a daily log, whether it is handwritten or produced using an electronic device.
- Driver falsifies, mutilates, or defaces a RODS or supporting documents. If a RODS contains false information, an Inspector can charge a driver with the violation, even if the driver has not signed the RODS.

An Inspector can also issue an out-of-service declaration for any of the violations listed above. We will discuss out-of-service declarations later in this section.

### 8.31 Detecting Falsifications in ELDs

ELDs provide significantly more data for inspectors to examine during roadside inspections when compared to paper RODS and even ERDs.

Inspectors will review all edits and pay close attention to odometer readings and locations from day to day and compare with supporting documents.

### 8.32 Radius Exemption - 160 Kilometres

Drivers who drive within 160 kilometres of their home terminal may qualify for a record of duty status exemption (i.e., do not need to fill out a RODS), if the motor carrier maintains an exempt time for the driver.

### 8.33 What Criteria Must a Driver Meet to Qualify for a Record of Duty Status Exemption?

A driver does not need to fill out a RODS, if the motor carrier and driver meets all the following criteria:

- Driver drives a commercial vehicle within a radius of 160 kilometres of the home terminal. The home terminal is the motor carrier's place of business where the driver normally reports for work. Radius means "by air," so using the home terminal as the centre point on a map, a driver can drive within a 160-kilometre circle (radius).
- Driver returns to the home terminal each day to start a minimum of 8 consecutive hours of off-duty time. This includes drivers who split daily off duty time in a sleeper berth.
- The motor carrier maintains accurate and legible records showing, for each day, the cycle the driver followed and on-duty time. Motor carriers must maintain an exempt time to record the on-duty time accumulated by the driver each day while using the RODS exemption.
- Driver is not driving under a permit issued under these Regulations.
- Driver is not driving under an exemption issued under the Act.

**Driver works for a motor carrier that maintains a record for each day that includes the following:**

- Driver's name.
- Date.
- Elected cycle.
- On-duty times
- Whether the off-duty deferral exemption is used and if Day 1 or Day 2 (if applicable).
- Use of the adverse driving and emergency exemptions (if applicable).
- Odometer readings for any personal use of the commercial vehicle (if applicable).

All other limitations and requirements in the Federal Commercial Vehicle Drivers Hours of Service Regulations still apply, including the daily, work shift and cycle limits.

The driver must ensure that the motor carrier keeps accurate records of duty status for the driver for a minimum of 6 months.

If the motor carrier is not maintaining accurate duty status records, the driver must fill out a complete record of duty status.

If the motor carrier fails to keep accurate duty status records, both the driver and motor carrier can be charged with failing to complete a record of duty status.

### 8.34 What is a record of duty status?

Motor carriers can use a record of duty status to record the information required when drivers are using the record of duty status exemption.

Motor carriers may use their own version of the record of duty status, if it contains the information listed on the previous pages.

- The motor carrier must account for all on-duty times of each day.
- Although the motor carrier is responsible for maintaining duty status records, drivers can record the required information.

The following 2 examples illustrate some options that a carrier can use to record the required information.

#### Example #1

**RECORD OF DUTY STATUS**  
(For drivers operating within 160 km of home terminal)

Driver's Name: \_\_\_\_\_ Month: **February** Year: **2001**

Start time of day: Midnight

Duty Status	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Totals
Off-duty																								<b>14</b>	
Driving																								<b>6</b>	
On-duty - Not Driving																								<b>4</b>	
Remarks																				Cycle 1: X	Cycle 2:	<b>24</b>			

Note: Record the following in the Remarks section:  
 1. Deferral of off-duty time  
 2. Driver extends driving time or reduces off-duty time because of unforeseen adverse driving condition or an emergency  
 3. Driver uses vehicle for personal use (odometer readings)

#### Example #2

#### Record of Duty Status (For drivers driving within 160 km of home terminal)

Driver's Name: \_\_\_\_\_ Month: February Year: \_\_\_\_\_ Start time for the day: Midnight

Date	Duty Status	Time Block from/to for 24-hour day									Total hours
27	Start time	0:00	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30	
	End time	6:00	6:30	7:30	9:30	10:45	12:15	13:45	17:30	24:00	
	Off-Duty	6.0						1.5		6.5	14
	Driving			1.0		1.25			3.75		6
	On-Duty not driving		0.5		2.0		1.5				4
Remarks:							Cycle 1: X	Cycle 2:	<b>Total: 24</b>		

Note: Record the following in the Remarks section:

- Deferral of off-duty time.
- Driver extends driving time or reduces off-duty time because of unforeseen adverse driving conditions or an emergency.
- Driver uses vehicle for personal uses (odometer readings).

### 8.35 What Documentation Does an Exempt Driver Need to Possess?

At the request of an Inspector, a driver who qualifies for the RODS exemption must possess and produce the following:

- Any supporting documents or relevant records that the driver receives during the current trip. The current trip starts when the driver departs from the carrier's home terminal.
- Examples of supporting documents include receipts for meals, fuel, or repairs; bills of lading; violation tickets and roadside inspections.
- The driver should be able to explain to the Inspector why the driver qualifies for the RODS exemption.

At the request of an Inspector, a motor carrier may need to produce/fax a driver's record for each day, and the motor carrier should be able to produce this quickly.

### 8.36 Change to Home Terminal

There are several situations where it is common for a carrier to change the home terminal for a driver:

- In the school bus industry, bus drivers take their bus home and begin and end their workday at an "out park" location. An "out park" location can be at the driver's home or a parking place near the home, such as a farm, school, or shopping centre. For these drivers, the "out park" location is their home terminal (normal work-reporting location).
- In the gravel truck industry, city gravel haulers drive out to various rural locations and work for 2 - 3 weeks at a time and stay in a hotel. For these drivers, the hotel is their home terminal.
- In the oil / gas service industry, drivers work from a motel/camp for a week or so, then change motels/camps to do a different job. For these drivers, the motel may be their home terminal.

A motor carrier can change the home terminal for a driver to a new location (may include a temporary work site) to qualify for the RODS exemption. In these situations, the driver and motor carrier must do the following:

- On the day that the trip from the old location to the new location occurs, the driver must record the change in a RODS, because the driver has not returned to the normal home terminal.
- For example, in the oil / gas service industry, on the day(s) that the driver is moving to a new motel at a different location, the driver uses a RODS to record all duty status activities.
- Once the driver is operating from the new motel, the driver qualifies for the RODS exemption again.
- For the days that the driver qualifies for the RODS exemption, the motor carrier must maintain a record of duty status for the driver.

### 8.37 What Happens if a Driver Fails to Meet the Record of Duty Status Exemption Criteria?

If a driver drives beyond the 160-kilometre radius or fails to meet any of the other RODS exemption criteria, the driver must do the following:

- Fill out a RODS for the day the driver does not qualify for the exemption. A driver must prepare a RODS as soon as the driver is aware that he/she will not qualify for the exemption.
- Record all driving hours in a day, regardless of whether the driver qualified for the exemption or not. The RODS must account for the entire day, including changes in duty status that occurred earlier in the day (when the driver still qualified for the exemption).
- Record in the Remarks section of the RODS the number of off-duty and on-duty hours for each of the previous 14 days.

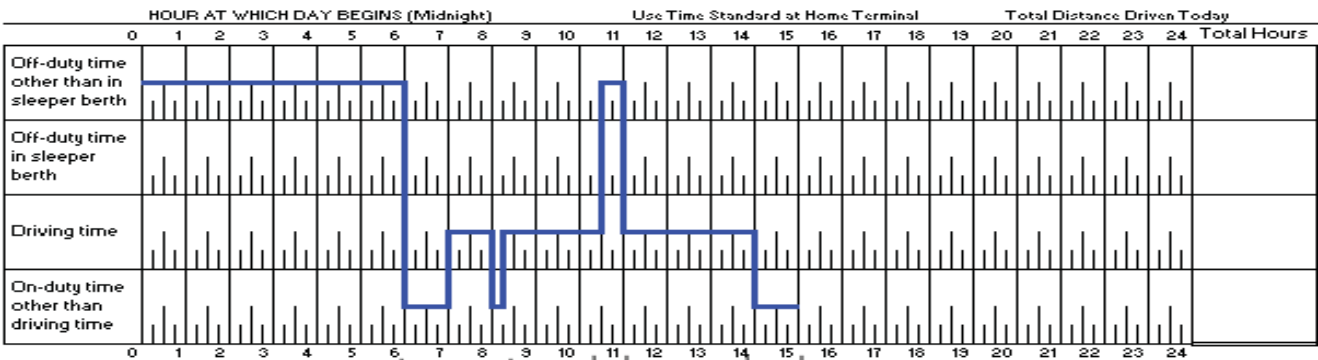
#### Example #3

In this example, the driver travels beyond the 160-kilometre radius from the home terminal and begins to fill in a RODS. The driver records all changes in duty status for the entire day. The driver records all hours for the day including the hours when the driver qualified for the exemption.

In addition, in the Remarks section, the driver records the number of off-duty and on-duty hours for each of the previous 14 days.

**DRIVER DAILY LOG** - Drivers who occasionally are required to complete a daily log (normally driving within 160 km radius) Date: February 15, 2007

Motor Carrier: ABC Motor Carrier		Odometer Finish
Principal Place of Business: 789 - 10 Street NE, Calgary, AB	Vehicle Plate or Unit # (Show All Units) 123 & 456	Odometer Start 120143
Home Terminal Address: Same as above	Cycle 1 (7 days) <input checked="" type="checkbox"/> Cycle 2 (14 days)	Distance Travelled by Vehicle km/ml



Local Deliveries  
Calgary, Alberta
Red Deer, Alberta
Edmonton, Alberta

REMARKS

DAILY DEFERRAL USED: \_\_\_ Day 1 \_\_\_ Day 2

Other Motor Carrier (Name & Address) \_\_\_\_\_  
 \_\_\_\_\_  
 Name of Co-driver \_\_\_\_\_

PERSONAL USE OF COMMERCIAL VEHICLE	
Start Odometer	End Odometer

PREVIOUS DAYS' TIME RECORDS														
Previous Day (first = 1)	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total Hours On-Duty		10	10	10	10			10	10	10	10	10	10	
Total Hours Off-Duty	24	14	14	14	14	24	24	14	14	14	14	14	14	24

Printed Name of Driver \_\_\_\_\_

Signature of Driver (Certified True & Correct) \_\_\_\_\_



## 9. ELECTRONIC RECORDING DEVICES

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As an alternative to the paper RODS, some commercial vehicle drivers use an electronic recording device. This device is installed in a commercial vehicle and records each period of duty status for the driver.

The Federal Commercial Vehicle Drivers Hours of Service Regulations allow drivers to use an electronic recording device if it meets specific conditions.

### 9.1 When Can a Driver Use an Electronic Recording Device?

An electronic recording device is an electric, electronic or telematic device that is installed in a commercial vehicle. The device accurately records each period of duty status for the driver.

A driver can use an electronic recording device when an ELD is not required, if it meets the following conditions:

- The device records the time spent in each period of duty status.
- The device can display the following:
  - Driving time and other on-duty time for each day.
  - Total on-duty time remaining and total on-duty time accumulated in the cycle being used by the driver.
  - Sequential changes in duty status and the time at which each change occurred.
  - Information contained in the device is the same information that a driver would record on a RODS in paper format.
  - A signature is not required on an electronic recording device (ERD).
  - ERD's require a means to certify the entries and not an actual image of the driver's signature.
  - If requested by an Inspector, the driver can immediately provide information for the previous 14 days by producing it in one of the following ways:
    - On a digital display screen of the device.
    - In handwritten form.
    - On a printout or any other readable output.

## 10. Detecting Falsified Hours of Service

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The motor carrier must monitor the compliance of each driver for hours-of-service violations and take immediate remedial action when non-compliance occurs. Monthly hours of service monitoring reports must be maintained in the driver's file. The company must also conduct forensic audits by comparing the driver's record of duty status against supporting documents to successfully assess the driver's compliance with the regulations.

### 10.1 Detecting Falsified RODS

In the previous sections, we identified the importance of RODS. The RODS provide a record of driver activities and are critical for determining whether drivers are driving in compliance with the Federal Commercial Vehicle Drivers Hours of Service Regulations.

Drivers may falsify the RODS by driving while recording off-duty or sleeper berth time or failing to accurately record on-duty or driving time. However, it is the carrier's responsibility to scrutinize RODS and ensure that fatigued drivers are not jeopardizing the safety or health of the public, the driver, or the employees of the motor carrier.

### 10.2 Detecting Falsified RODS in ELDs

ELDs provide significantly more data to examine when compared to paper RODS and even ERDs. Review all edits and pay close attention to odometer readings and locations from day to day.

### 10.3 Why Do Drivers Falsify Their Record of Duty Status?

Statistics indicate that many drivers falsify their record of duty status for the following reasons:

#### **Money**

Money is a major motivator if the penalties for falsification are less than the financial gains.

- i) Drivers are usually paid by the mile. Therefore, the more kilometers driven in each day, the more money the driver makes.
- ii) The driver may not be paid for loading or unloading time. However, these hours count towards the driver's on-duty and work shift limits that can affect the amount that a driver can earn.
- iii) Payments of vehicles and insurance premiums must be made. A truck that is sitting idle is not making money.
- iv) Financial rewards for a driver who falsifies a RODS can reach as high as \$500 per week. Some employers will give unofficial, undocumented approval for higher productivity or for good service to a client.

#### **Family**

Family situations that want or need attention create a great deal of pressure on a driver to spend more time at home. Many times, drivers stay at home until the last possible minute before beginning their trip. To make up for lost time, they may exceed Regulation limits.

#### **Shipper**

A shipper maximizes profits by getting the product from the loading dock to the customer in the shortest amount of time. There is always some pressure from the shipper that is passed on to the carrier and then to the driver.

## Carrier

The carrier's dispatcher sometimes makes unreasonable demands on the driver. When the driver picks up the load, the dispatcher may ask if the driver can deliver the load within a certain period. The dispatcher should ask the driver if the driver has driving hours available to make the delivery legally in that time frame, however, that inquiry rarely occurs.

## The Body Clock

Everyone has his/her own biological clock with its own rest requirements. A driver may feel rested and start driving before the driver has had sufficient off-duty time. However, chronically fatigued drivers make poor decisions about the extent of their fatigue and downplay the risk.

### 10.4 How do Drivers Falsify Record of Duty Status?

Drivers usually falsify their RODS using one of the following methods:

- Compression.
- Dropped Trip.
- Ghost Driver.
- Failing to Record On-Duty Time.
- Driving While Recording Off-Duty or Sleeper Berth Time.

### 10.5 Compression

A driver who claims to have driven a distance in less time than it would normally take to drive that distance is compressing time. A driver who claims to have driven fewer miles than the actual mileage from one point to another is compressing distance. Both are compression falsifications.

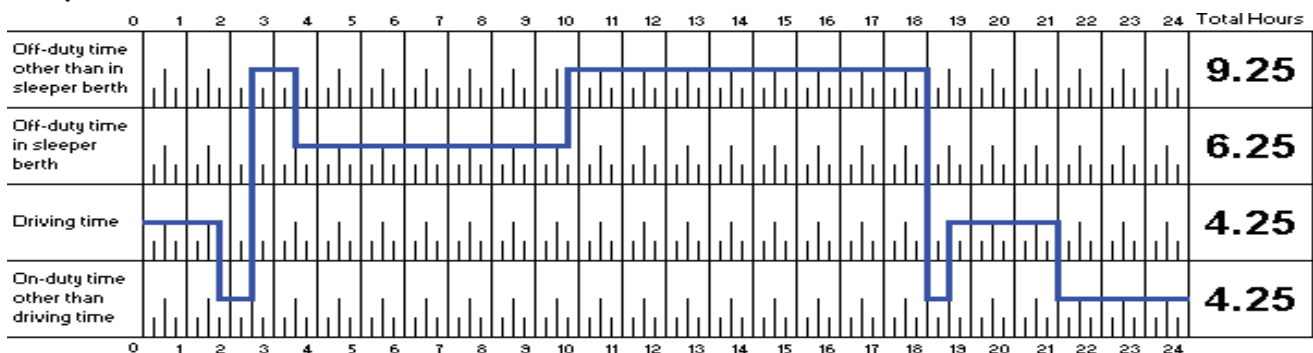
For example, the distance from Winnipeg, MB to Edmonton, AB is 1,315 kilometres. The trip should take a driver approximately 13 hours. If the driver's RODS shows that distance was driven in 10 hours, the driver is compressing time. If the driver claims that the distance from Winnipeg to Edmonton is only 1,000 kilometres, then the driver is compressing distance.

This is not likely to be found in an ELD. It requires manual manipulation of the driver's hours recorded on the graph grid which ELDs are designed to prevent.

### 10.6 Dropped Trip

When a driver fails to show a delivery or pick up that is off the main route of the remainder of the trip, the driver has dropped a trip. A dropped trip also occurs when a driver fails to log a trip by showing off-duty status for the duration of the trip.

#### Example #1:



This driver appears to have been off-duty from 0230 - 1800. However, at 2100 he stops at a Vehicle Inspection Station. An officer discovers two shipping documents that indicate that the driver was making deliveries during the time the driver was "off-duty". This is an example of a dropped trip.

An ELD could be disconnected which result in discrepancies in odometer readings and reported engine hours. Also, the driver may not log into the device, creating unidentified driving events.

### 10.7 Ghost Driver

A ghost driver is a co-driver who does not exist. The lead driver's and ghost driver's RODS together make a valid trip, but the only real driver shows himself or herself in the sleeper berth when the "ghost" co-driver is driving.

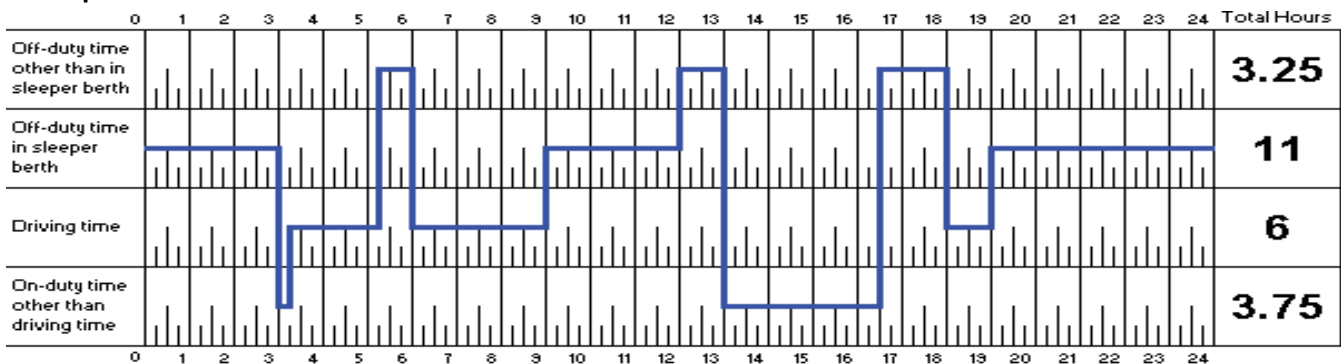
If an officer stops a commercial vehicle and there is no evidence of a co-driver, it is most likely that the lead driver drove during the sleeper berth time and only took short naps. Unless a co-driver can be found, the officer has a good case for a ghost driver falsification.

Driver's may have acquired other drivers' usernames and passwords.

### 10.8 Failing to Record On-Duty Time

A driver may fail to record on-duty time, other than driving time or may shorten the amount of driving time. Fuel stops, time spent loading or unloading, and time spent at roadside inspections are a few of the activities a driver may use to shorten on-duty time to almost nothing.

#### Example #2:



Remarks:

- 12:00 AM Sleeper berth
- 3:00 AM On-duty: Lethbridge, AB load
- 3:15 AM Driving
- 5:15 AM Off-duty: Calgary, AB flat tire repair
- 6:00 AM Driving
- 9:00 AM Sleeper Berth: Edmonton, AB
- 12:00 PM Off-duty: Edmonton, AB fuel
- 1:00 PM On-duty
- 4:30 PM Off-duty: Vallegview, AB Roadside inspection, fix OOS items
- 6:00 PM Driving
- 7:00 PM Sleeper Berth: Grande Prairie, AB

The driver failed to record the following properly:

- Disabled vehicle and repair - recorded as off-duty but should be on-duty time, other than driving time.
- Fuel stop - recorded as off-duty but should be on-duty time, other than driving time.
- Roadside inspection and out-of-service (OOS) repairs - recorded as off-duty but should be on-duty time, other than driving time.

## **10.9 Driving While Recording Off-Duty or Sleeper Berth Time**

This type of falsification typically occurs during a two- or four-hour increment of sleeper berth or off-duty time in which the driver is driving.

A driver may also "back up" the RODS. In this situation, the driver stays at home a day longer than the driver should before starting a trip. The driver then "backs up" the RODS to show that the trip was started a day sooner. This is a variation of driving during off-duty time.

## **10.10 What outside resources are used to verify a record of duty status?**

After examining and comparing the supporting documents with the driver's record of duty status, the motor carrier or enforcement officer may want to verify the entries in the record of duty status with sources other than the driver. They can phone the people and places where the driver has been in contact.

## APPENDIX A - TYPES OF DRIVING LICENCES IN MANITOBA

Manitoba has six classes of driver's licence, numbered from 1 to 6. Depending on what vehicles you'll be driving and whether you'll be driving for a living, you'll need at least one of these licences. Each has its own requirements.

Licence classes		
Class	Minimum age	Allows you to operate
1	18	<ul style="list-style-type: none"> <li>Semi-trailer trucks.</li> <li>Includes all vehicles in classes 2, 3, 4 &amp; 5.</li> </ul>
2	18	<ul style="list-style-type: none"> <li>Buses having a seating capacity of over 24 passengers (while carrying passengers).</li> <li>School buses with a seating capacity over 36 passengers.</li> <li>Includes all vehicles in classes 3, 4 &amp; 5.</li> </ul>
3	18	<ul style="list-style-type: none"> <li>A truck with more than two axles.</li> <li>A combination of vehicles that includes a truck with more than two axles (not including a semi-trailer truck).</li> <li>A combination of vehicles consisting of a truck with two axles or class 5 passenger vehicle, and a towed vehicle with a registered gross vehicle weight of more than 4,540 kg.</li> <li>Includes all vehicles in classes 4 &amp; 5.</li> </ul>
4	18	<ul style="list-style-type: none"> <li>Ambulances and other emergency vehicles.</li> <li>Buses with a seating capacity of 10 and 24 passengers (while carrying passengers).</li> <li>School buses with a seating capacity of 10 and 36 passengers (while carrying passengers).</li> <li>Includes all vehicles in class 5.</li> <li>Note: individual municipalities may require a class 4 licence to operate a vehicle for hire – contact your municipality for information.</li> </ul>
5	16 or 15 ½ if enrolled in MPI's Driver Z Program that's currently in progress	<ul style="list-style-type: none"> <li>A passenger car (other than class 4 vehicles).</li> <li>A bus while not carrying passengers.</li> <li>A truck with two axles.</li> <li>A combination of vehicles consisting of a passenger car or truck with two axles and a towed vehicle with a registered gross vehicle weight of up to 4,540 kg.</li> <li>May operate class 3 vehicles registered as a farm truck and the driver holds a class 5I (intermediate stage) licence or 5F (full stage) licence.</li> <li>May operate a moped, if 16 years of age or older.</li> <li>May operate infrastructure equipment or agricultural equipment on a provincial highway within the municipal boundaries of a city, town, or urban municipality, subject to supervising driver requirements.</li> </ul>
6	16	Motorcycles
Air Brake Endorsement		<ul style="list-style-type: none"> <li>Air brake endorsement permits the holder to drive vehicles equipped with air brakes in the class of vehicle for which the person is licenced.</li> <li>Note: drivers of class 3 trucks registered as farm trucks equipped with air brakes are exempt from this requirement.</li> </ul>

## APPENDIX B - SCHEDULED PREVENTATIVE MAINT & INSP TOLERANCES

SPM&I to be performed every...	Tolerance
<b>Time Intervals</b>	<b>Days</b>
1 month	6
2 months	12
3 months	18
4 months	24
5 months	30
6 months	30
7 months	30
8 months	30
9 months	30
10 months	30
11 months	30
12 months	30
<b>Mileage Interval</b>	<b>Kilometers</b>
5,000 km	1,000 km
10,000 km	2,000 km
15, 000 km	3,000 km
20,000 km	4,000 km
25,000 km	5,000 km
30,000 km	5,000 km
35,000 km	5,000 km
40,000 km	5,000 km

**NOTE:** Tolerance is calculated at 20% to a maximum of one month or 5,000 km.

**NOTE:** For seasonal operators there is no tolerance at the seasonal start-up.

## APPENDIX C - REGISTERING COMMERCIAL VEHICLES IN MANITOBA

### Commercial trucks

A commercial vehicle is a truck or trailer combination used for business or commercial purposes and operated **more than:**

- 30 km from the registered owner's place of business if the business is not located in an urban municipality.
- 30 km from the municipal boundary, if the business is in an urban municipality other than Winnipeg.
- 20 km from the City of Winnipeg municipal boundary, if the business is in Winnipeg Commercial vehicles can be registered as commercial trucks, commercial trailers or commercial driveaway units.

A commercially plated vehicle (CT plates) operating solely within Manitoba can be registered at any [Autopac agent](#) or [MPI Service Centre](#).

### Limited-use trucks

Limited-use commercial trucks have a gross vehicle weight of 4,500 kg or more, are used for commercial purposes other than gain or compensation and are operated less than or equal to:

- 30 km from the registered owner's place of business if the business is not located in an urban municipality.
- 30 km from the municipal boundary, if the business is in an urban municipality other than Winnipeg.
- 20 km from the City of Winnipeg municipal boundary if the business is in Winnipeg.

A vehicle may also be designated a limited-use commercial truck depending on its specific use. See your [Autopac agent](#) for more information.

### Registering under IRP

The [International Registration Plan \(IRP\)](#) is a vehicle registration system for trucks and buses operating inter-jurisdictionally between Manitoba and other provinces or states throughout North America.

Under the IRP Agreement, carriers are required to register vehicle(s) in their base jurisdiction. If carriers have established a base of operations in more than one member jurisdiction, they must register applicable vehicles operating from that base in that jurisdiction. Base plate shopping is not allowed.

Carriers may apportionably register their vehicle(s) if the vehicle(s) travels into two or more IRP jurisdictions and is used to transport passengers for hire or is designed, used, or maintained primarily for the transportation of property, and meets at least one of the following conditions:

- two axles and a gross vehicle weight or registered gross vehicle weight more than 11,797 kgs or 26,000 lbs.
- is a power unit having three or more axles, regardless of weight.
- is used in combination, when the weight of such combination exceeds 11,797 kgs or 26,000 lbs gross vehicle weight.
- has a regular route bus or buses used in the transportation of chartered parties.

Vehicles, or combinations thereof, having a gross vehicle weight of 11,797 kgs or 26,000 lbs or less, or two-axle vehicles may be proportionally registered at the option of the registrant.



The IRP exempts the following vehicles from IRP registration. However, a regular Manitoba plate must be obtained and displayed on:

- Vehicles operating under separate reciprocity agreements that are not superseded by the IRP.
- Commercial vehicles used solely within the Province of Manitoba.
- Recreational vehicles used for personal pleasure or travel by an individual or family.
- Government-owned vehicles.
- Commercial vehicles displaying restrictive plates which have geographic area, distance, or commodity restrictions.

Due to jurisdictional statutes and regulations, some exemptions may not be recognized. A carrier should check with a jurisdiction prior to conducting operations.

### **Semi-trailers**

A semi-trailer can be defined as a trailer constructed so that its weight and the weight of its load are carried partly upon an axle of the truck-tractor towing it and partly upon an axle of the trailer and equipped with the upper half of a fifth wheel. Semi-trailers attached to a truck-tractor registered in Manitoba require a semi-trailer plate for identification purposes. The semi-trailer must be registered in the name of the semi-trailer owner only.

A pup trailer, single or double axle, with or without a steering axle, when attached to a semi-trailer unit as a train, requires a semi-trailer identification plate. However, if hauled behind a vehicle other than a truck-tractor-trailer unit, then a standard A8, C2 or P3 trailer plate and insurance are required.

### **Exemptions**

Semi-trailers owned by a non-resident and registered for the current registration period in a province, state, or country of which the owner is a resident can expose an identification plate of such province, state, or country.

Semi-trailers owned and operated on behalf of the Department of National Defence and that carry an identification number plate issued by the Department of National Defence are exempt from registration requirements.

# APPENDIX D - HOS QUICK GUIDE - U.S./CANADA COMPARISON

<b>HOURS OF SERVICE QUICK GUIDE</b> <b>U.S./CANADA COMPARISON</b> <small>FOR PROPERTY CARRYING DRIVERS (S OF 60") FOR CANADA</small>		
		
 <b>DRIVING TIME</b>	11 HOURS AFTER 10 HOURS OFF	13 HOURS AFTER 8 HOURS OFF
 <b>ON-DUTY TIME</b>	14 HOUR WORKDAY requires a 10 HOUR BREAK	14 HOUR WORKDAY requires an 8 HOUR BREAK
 <b>OFF-DUTY TIME</b>	10 CONSECUTIVE HOURS 30-min break required after 8th consecutive hour into work- shift.	8 HOURS BEFORE DRIVING 10 HOURS PER DAY 24 consecutive hours within past 14 days
 <b>LENGTH OF WORKDAY</b>	AFTER 14 CONSECUTIVE HOURS, NO DRIVING CAN BE DONE	AFTER 16 CONSECUTIVE HOURS, NO DRIVING CAN BE DONE
 <b>DUTY CYCLES</b>	60 HOURS/7 DAYS 70 HOURS/8 DAYS	70 HOURS/7 DAYS (Cycle 1) 120 HOURS/14 DAYS (Cycle 2)
 <b>RESET</b>	34 HOURS	36 HOURS (CYCLE 1) 72 HOURS (CYCLE 2) Upon reaching 70th hour in Cycle 2, driver must take 24 consecutive hours off duty.
 <b>LOGS</b>	PREVIOUS 7 DAYS, PLUS TODAY SUBMIT WITHIN 13 DAYS 6 months carrier log retention	PREVIOUS 14 DAYS, PLUS TODAY SUBMIT WITHIN 20 DAYS 6 months carrier log retention

[www.toyota-trucking.com/hours-of-service-canada-comparison](http://www.toyota-trucking.com/hours-of-service-canada-comparison)

## APPENDIX E - Federal Motor Carrier Safety Administration - HOS Final Rule

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### HOS Final Rule

On June 1, 2020, FMCSA revised four provisions of the hours of service regulations to provide greater flexibility for drivers without adversely affecting safety. Motor carriers are required to comply with the new HOS regulations starting on September 29, 2020.

#### What has changed?

	<p><b>Short-haul Exception</b></p> <p>Expands the short-haul exception to 150 air-miles and allows a 14-hour work shift to take place as part of the exception.</p>
	<p><b>Adverse Driving Conditions Exception</b></p> <p>Expands the driving window during adverse driving conditions by up to an additional 2 hours.</p>
	<p><b>30-Minute Break Requirement</b></p> <p>Requires break of at least 30 consecutive minutes after 8 cumulative hours of driving time (instead of on-duty time) and allows an on-duty/not driving period to qualify as the required break.</p>
	<p><b>Sleeper Berth Provision</b></p> <p>Modifies the sleeper berth exception to allow a driver to meet the 10-hour minimum off-duty requirement by spending at least 7 hours of that period in the berth combined with a minimum off-duty period of at least 2 hours spent inside or outside the berth, provided the two periods total at least 10 hours. When used together as specified, neither qualify period counts against the 14-hour driving window.</p>