



New hours for Canadian truckers revealed

By Walter Weart

Transport Canada's new hours of service (HOS) rules for commercial truck drivers will reduce the maximum driving time from 16 to 13 hours within a 24-hour period while increasing the minimum off-duty time from eight to 10 hours. The maximum daily on-duty time will be reduced to 14 hours. The new rules take effect January 1, 2007.

There is general agreement between the trucking industry, the Teamsters union, Canadian Council of Motor Transport Administrators and others on these revisions.

"This is the culmination of 12 years of work and we are pleased to see our efforts reach this stage in the process," says Ingrid Phaneuf, vice-president communications for the Canadian Trucking Alliance.

"We have been part of the process for the last five or six years and, based on what we have seen so far, we feel that our concerns were addressed," says Wayne Gibson, director of the Freight and Tank Haul Division of Teamsters Canada.

"Overall, based on what we saw, we do not have much to complain about and we are just relieved that the process will soon be finalized," says Joanne Ritchie, executive director of the Owner-Operator's Business Association of Canada. She adds that although they have not seen the final text, they are somewhat concerned about the complex set of definitions surrounding the length of the work day versus the length of a shift.

However, not all observers are pleased with the new rules.

"We are not happy with the new rule as there is still no fixed work-week and, among other things, it will allow drivers to drive for too long a period of time," says Gerald Donaldson, senior research director for the Advocates for Highway and Auto Safety.

US drivers operating in Canada will be required to comply with these new rules just as Canadian drivers operating in the US must comply with the US Federal Motor Carrier Safety Administration's HOS regulations.

Although compliance with the HOS regulations is checked by looking backward in time, and activity occurring outside the US may be taken into account, US state and federal officials may only impose penalties for violations that occurred in that country.

The rules will be on the *Canada Gazette* website November 16, at <http://canadagazette.gc.ca/partII/index-e.html> with publication in the *Canada Gazette Part II* at the same time.

Comparing HOS in Canada and the US

| US Federal Motor Carrier Safety Admin. Effective October 1, 2005 | Transport Canada Effective January 1, 2007 |
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| May drive a maximum of 11 hours after 10 consecutive hours off duty. | May drive a maximum of 13 hours or work a maximum of 14 hours on duty or 16 hours of elapsed time after coming on duty |
| May not drive beyond the 14th hour after coming on duty, following 10 consecutive hours off duty. | May not drive after 70 hours on duty in seven consecutive days. A driver may restart a NEW seven consecutive day period after taking 34 or more consecutive hours off duty |
| May not drive after 60/70 hours on duty in seven/eight consecutive days. A driver may restart a seven/eight consecutive day period after taking 34 or more consecutive hours off duty. | May drive after 70 hours in seven days by taking a 36-hour reset or under the 120 hours in 14 days cycle by taking a 72-hour reset |
| Divers using a sleeper berth must take 10 hours off duty, but may split sleeper-berth time into two periods provided neither is less than two hours | Drivers using a sleeper berth must take 10 hours off-duty, but may split the sleeper berth time into two periods provided neither is less than two hours |

Source: Federal Motor Carrier Safety Administration and Transport Canada

www.fmcsa.dot.gov/rules-regulations/topics/hos/hos-2005.htm; www.tc.gc.ca