

**Council of the Federation**

*Harmonization of Transportation Regulations :  
Stakeholder Consultation Results*

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*November 2009*

**Background**

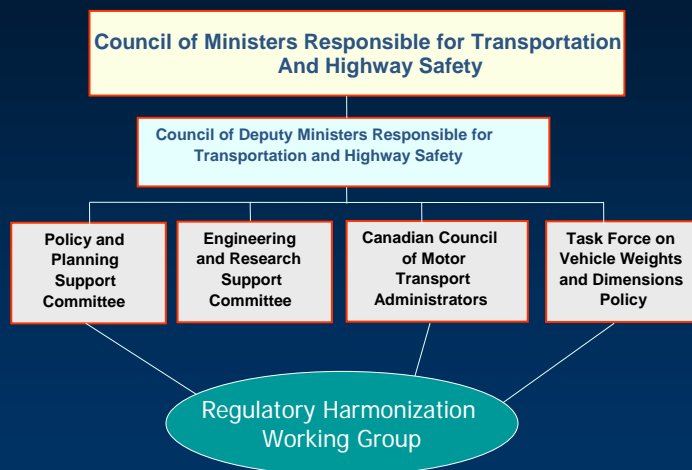
- In August 2007, the Council of the Federation (Provincial and Territorial Premiers) agreed to harmonize transportation regulatory codes, and eliminate those standards and regulations that are unjustifiable barriers to trade in the transportation sector
- Council of Ministers Responsible for Transportation and Highway Safety directed to take action
  - Report submitted to CoF in June 2008

## Report to the Council of the Federation June 08

### Overview

- the Council of Ministers mandate
  - mechanisms and support structure used for intergovernmental collaboration and for consensus building
- the progress which has been achieved in harmonization of transportation regulations since the 1980's; an ongoing process
- the mechanisms which are in place to:
  - address ongoing harmonization needs and
  - maintain close working relationships between governments and stakeholders
- current harmonization issues and priorities, and the mechanisms being used to address them, including outstanding issues which pose major challenges
  - eleven point action plan; highway transport sector

## Regulatory Harmonization Working Group



## Stakeholder Consultation: Request for Comments

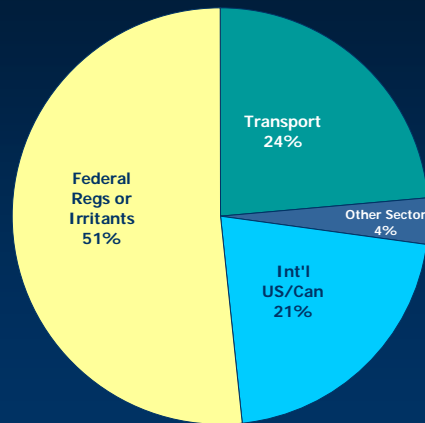
- National:
  - Invitations sent to 350 stakeholders to comment on regulatory impediments to transportation in all modes within Canada and internationally
  - 35 submissions received
- Continental Gateway & Ontario/Quebec Corridor
  - 675 invitation letters sent to stakeholders in Ontario and Quebec
  - 33 submissions received
- *Outcome:*
  - 1000 invitations – 68 submissions

## Stakeholder Consultation: Meetings

- Meetings arranged in response to those that requested opportunity to meet with Working Group:
  - Individual sessions with each group
  - Moncton: June 9
    - Three groups: trucking, forest products, marine port
  - Winnipeg: June 10
    - Five groups: trucking, construction, standards, agriculture, academic
  - Vancouver: June 12
    - Seven groups: trucking, manufactured housing, oil sector, rail safety, marine port, ship owners

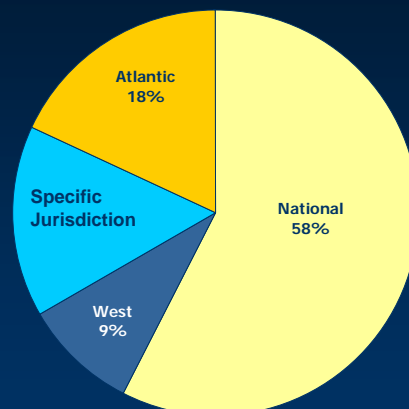
## Stakeholder Comments

- 140 comments/citations:
  - 33 harmonization of transportation regulations
  - 5 harmonization of regulations in other sectors (eg. taxes, food safety)
  - 29 harmonization of regulations internationally
  - 72 federal regs, comments or irritants to business:
    - would not be resolved through regulatory harmonization efforts



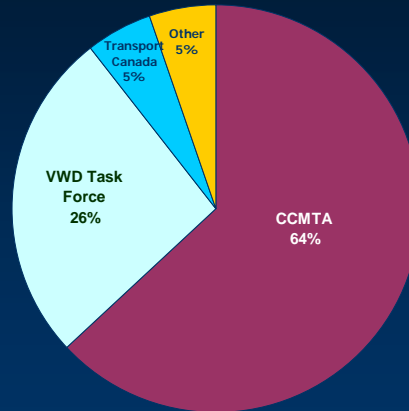
## Harmonization of Transportation Regulations

- Domestic Transportation - 33 citations
  - 19 for national harmonization
  - 9 for regional harmonization (3 west, 6 Atlantic)
  - 5 for action by specific jurisdiction(s)



## Harmonization of Transportation Regulations

- National Harmonization - 19 citations
  - 13 for Canadian Council of Motor Transport Administrators (CCMTA)
  - 5 for Task Force on Vehicle Weights and Dimensions Policy
  - 1 for another mechanism



## Issues Raised – Highway Transport

- Infrastructure
  - Twin Route 185 in QC
  - More passing lanes on two lane roads
  - Rest areas
  - Need for more and better highways in north
- Weights and Dimensions
  - Harmonize permit conditions for LCV's within regions
    - East: ON, QC, NB, NS
    - West: MB, SK, AB, BC
  - Differences in weight limits within Canada (East vs West)
  - Lower weight limits in United States
- Special Permits: Oversize and Overweight
  - Problems arising from greater municipal involvement
- Cell phone bans (different approaches)

## Issues Raised – Highway Transport

- National Safety Code
  - Greater uniformity needed in adoption
  - Carrier Safety Rating
  - Vehicle Inspections
  - Hours of Service (within Canada, and Canada/US)
    - Need to exempt occupations where driving is incidental to other responsibilities (eg. construction)
  - Cargo Securement – differences Canada/US
- On-road Enforcement
  - Differences in policies within and between provinces
- Complex, multiple tax regimes
- Border Crossings
  - Differences in Canadian and US requirements

## Issues Raised – Other Modes

- Rail
  - Cabotage
  - Canada/US regulatory differences
  - Environmental regulations
- Marine
  - Duty on imported vessels
  - Coast Guard regulations on retrofitting vessels; accept international standards
  - Environmental Protection Act (strict liabilities)
  - Security clearance
  - Dangerous Goods
  - Border crossing security programs (Canada/US)
  - Coast Guard fees

## Issues Raised – Other Modes

- Airports
  - Cabotage
  - Airport rent
  - CBSA services
  - Air Traveller Security Charges
  - Infrastructure funding for airports
  - Regulatory burden
  - Open Skies

## Observations

- No major revelations:
  - transportation issues raised are known and are being addressed
- More “irritants” than trade barriers

## Regulatory Harmonization Agenda

- Challenges:
  - national vs regional harmonization
  - uniformity vs flexibility
- Harmonization of transportation regulations is an ongoing process, not a discrete goal

## Direction from Council of the Federation

- Report on efforts to harmonize transportation regulations to be submitted to Internal Trade Ministers by end of year