Council of Ministers Responsible for Transportation and Highway Safety

Harmonization of Transportation Policies and Regulations:

Context, Progress and Initiatives in the Motor Carrier Sector

Report to the Council of the Federation

June 2008

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Executive Summary and Action Plan for 2008-09

The Council of Ministers Responsible for Transportation and Highway Safety is pleased to have the opportunity to report to the Council of the Federation on its work and challenges in providing a safe, efficient transportation system that supports local, regional and national economies, while addressing the mobility needs of 33 million Canadians living in the second largest country in the world.

The adopted purpose of the federal/provincial/territorial Council of Ministers Responsible for Transportation and Highway Safety is to provide a "forum for discussion of the harmonization of laws, policies and actions; and the development of cooperative action by the member governments to address issues of national and international concern".

In this context, harmonization of transportation policies and regulations within Canada, and also with trading partners in North America, is an ongoing focus for the Council's work. Considerable progress has been made in this area over the past 25 years, with added impetus provided by the Agreement on Internal Trade (1994), the North American Free Trade Agreement (1994) and the Security and Prosperity Partnership of North America (2007).

Coordination and harmonization of transportation policy and regulations in a country as large and diverse as Canada presents many challenges. It requires striking a fine balance between the need to ensure regulations promote seamless, efficient national and international trade transportation, while also providing opportunities to exploit innovation and productivity, often critical elements in support of local and regional economies. In the highway transportation field, Canada has an enviable record of continually extracting greater efficiencies, productivity and safety from an extensive road network in extremely challenging demographic, geographic and climatic conditions.

The Council has worked effectively as a mechanism for cooperation on transportation matters between jurisdictions, and has achieved good progress and accumulated considerable experience in addressing critical regulatory harmonization issues through the use of open, productive discussion mechanisms. Lessons which have been learned over the past twenty five years include:

- involvement of stakeholders in discussion of regulatory harmonization needs and priorities is critical
- harmonization of transportation regulations is an ongoing process, not a discrete goal
- innovation should not be viewed as a threat to regulatory harmonization; improving the productivity of the transportation system as a whole depends on creativity
- achieving absolute uniformity in transportation regulations within Canada is neither possible nor desirable
- compromises can be reached which meet the obligation to facilitate interprovincial and international trade, while respecting the needs and responsibilities of individual jurisdictions
- development of effective solutions in a complex environment takes time.

The Council is supported by an effective structure designed to promote regular, ongoing dialogue between government officials, stakeholders and other interested parties. The needs of, and issues facing, the transportation sector are well understood. Stakeholders are encouraged to participate actively in all of the committee meetings and forums provided during the year, and to share their perspectives on regulatory harmonization needs and priorities.

Transportation Ministers remain committed to finding solutions which serve the national goal of having the safest, most efficient transportation system in the world. The Council will continue its work to ensure that unjustifiable barriers to efficient transportation due to regulatory differences are identified and removed.

The Council has developed and pursued an aggressive regulatory harmonization agenda since the 1980's, and welcomed the added impetus to this agenda provided by the Agreement on Internal Trade. For the past 14 years the Council has successfully pursued the role, responsibilities and obligations assigned to it under the AIT.

The identification and elimination of regulatory standards that might constitute unjustifiable barriers to internal trade focuses on highway transportation and on issues affecting the motor carrier (trucking) industry. Standards are embodied in the Memorandum of Understanding respecting an Agreement on Interprovincial Vehicle Weights and Dimensions, which deals with harmonized vehicle weight and dimension limits and in the National Safety Code for Motor Carriers, which deals with licensing, registration and control of motor vehicle transportation and safety.

With the assistance and active participation of stakeholders, the transportation regulatory harmonization agenda is continually refreshed and refined.

As outlined in the report which follows, the accomplishments to date are many and significant. Four harmonization measures were approved early in 2008 (see page 25). Work continues on many fronts, with an action plan for 2008-09 that includes the following initiatives and key milestones:

ACTION PLAN FOR REGULATORY HARMONIZATION, 2008-09

Vehicle Weights and Dimensions

Area	Initiative	Expected Completion
National MOU	Implementation of amendments to weight and dimension standards to accommodate energy efficiency technologies (wide single tires, aerodynamic devices)	July 2008
National Guidelines	Development of a national guideline for special permit conditions respecting Long Combination Vehicles	December 2008
National Guidelines	Development of national guidelines for the weight and dimension limits for vehicles currently used regionally, including: - tridem drive trucks and tractors - four axle semitrailers	April 2009
Atlantic Provinces Regional Agreement	Establishment of common special permit conditions for overdimensional vehicles and loads	July 2008

National Safety Code

Standard	Initiative	Expected Completion
Knowledge and Performance Testing	Update and expansion	October 2008

Driver Examiner Training Program	Update to include airbrake testing	October 2008
Hours of Service	Amendments under development	Winter 2009
Hours of Service	Exemptions for specialized sectors	December 2008
Cargo Securement	Amendments under development	Spring 2009
Trip Inspection	Development of enforcement guide	Fall 2008
Safety Rating	Development of reciprocity arrangement with United States	Fall 2009

The provincial contributions to deliver the NSC program in Canada (fiscal 2006) have been identified as $106.25 million annually. Transport Canada's contribution in 2006 was $4.5 million, approximately 4% of the total, with the leftover funded by the provinces and territories. Provinces and territories are providing the main allocation of resources with respect to extraprovincial CMV safety and enforcement programs. In that context, even if 15% of CMV carriers were extraprovincial, the federal contribution should be a minimum of $16 million annually, or $80 million over a 5-year agreement.

Preface

Over the past 25 years highway transportation has emerged as the dominant mode for freight and passenger transportation in North America, and plays a major role in support of both domestic and foreign trade. While a truly efficient transportation system must exploit the strengths of all available modes, a safe and efficient highway transportation system is critical to local, regional and national economies.

With broadly dispersed jurisdiction over the highway system, improving the efficiency of highway transportation through harmonization and rationalization of policies and regulations affecting the sector has been a high priority.

In response to direction from the Council of the Federation in August 2007, the Council of Ministers of Transportation and Highway Safety has undertaken a review of regulations in the transportation field in order to verify that their systems for harmonization are effective and to identify any problem areas where immediate action is required.

This review also provides an opportunity to describe the institutions and processes that have been created to eliminate potential barriers to internal trade and to gauge their success in achieving harmonization.

Harmonization efforts involve governments and the full breadth of the transportation industry, as well as the general public. All regulations are subject to examination by the trucking, manufacturing, and other industries to ensure that they do not adversely affect the business climate and trade opportunities. Given the range of players and the geographic, economic, and demographic diversity of Canada, the picture that emerges is one of a dynamic, inclusive, and responsive effort to ensure that our transportation system serves the needs of all players in local, regional, national, and international economies.

1. Motor Carrier Operations: Regulatory Framework and Responsibilities in Canada

a) Provincial and Territorial Governments

As provinces and territories hold primary responsibility for provision and operation of the highway system in Canada, they also hold responsibility for legislation and regulations necessary to:

- ensure the safe operation of the public highway network,
- protect and manage the use of the highway infrastructure,
- improve the productivity and efficiency of the highway transport system, and
- ensure the safest and most efficient movement of people and goods.

b) Municipal Governments

Municipalities have responsibility for roads and bridges within their jurisdiction. While provincial or territorial regulations for vehicle weights and dimension limits generally apply within municipalities as well, municipalities can also have policies and regulations respecting truck operations on the municipal road network in areas such as route and bridge restrictions, oversize and overweight permits, and noise limits. Municipalities also share responsibility for road safety.

c) Federal Government

Under Canada's constitution, the federal government has regulatory responsibility for extra-provincial trucking (ie. trucking operations which cross provincial or territorial borders). However, since 1954, enforcement responsibility has been delegated to the provinces and territories in the context of the *Motor Vehicle Transport Act*.

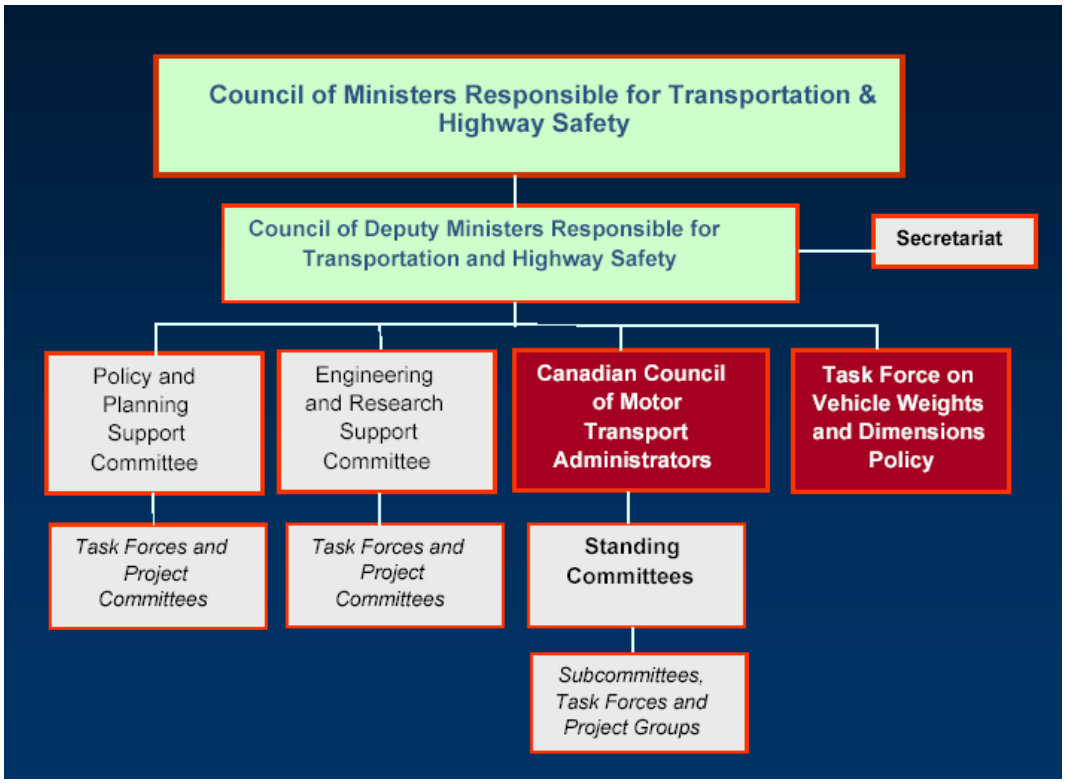
The federal government is also responsible for regulating:

- safety standards for the manufacturing of new vehicles,
- transportation of dangerous goods,
- international border crossings, and
- air quality, including standards for engine emissions and fuel.

The federal government also regulates the air, rail, and marine modes of transportation.

2. Council of Ministers Responsible for Transportation and Highway Safety Organization

In addressing its mandate, the Council of Ministers is supported by a structure which is designed to foster close collaboration between all governments on both technical and policy matters affecting transportation. In addition, the Council recognizes the critically important need to encourage active stakeholder participation in deliberations on matters that affect the safety and efficiency of the transportation system.



a) Regulatory Harmonization Mechanisms

Canadian Council of Motor Transport Administrators

The Canadian Council of Motor Transport Administrators is a legally constituted non-profit organization which coordinates administration and operational matters associated with licensing, registration and control of motor vehicle transportation and highway safety. Through CCMTA's structure and its committees and task forces, the national forum provides a mechanism for government officials to work closely together, with the input of stakeholders on the development of public policy and programs.

The business of CCMTA is conducted through three permanent Standing Committees, namely the Standing Committee on Road Safety Research and Policies (RSRP), the Standing Committee on Drivers and Vehicles (DV) and the Standing Committee on Compliance and Regulatory Affairs (CRA). The Standing Committee on RSRP is responsible for coordinating federal, provincial and territorial road safety efforts, making recommendations in support of road safety programs and developing overall expertise and strategies to prevent road collisions and reduce their consequences. The Standing Committee on DV is responsible for all matters relating to motor vehicle registration and control, light vehicle standards and inspections and driver licensing and control. CCMTA's Standing Committee on CRA is primarily responsible for compliance activities and programs, policies and regulations related to commercial driver and vehicle requirements and motor carrier operations in Canada, including the National Safety Code in order to achieve standardized regulations, programs and compliance in all

jurisdictions. These committees each meet twice per year, with participation open to all stakeholders and interested parties.

Task Force on Vehicle Weights and Dimensions Policy

The Task Force on Vehicle Weights and Dimensions Policy was established with the first national agreement on vehicle weights and dimensions regulations in 1988, and has been assigned a mandate that includes:

- development of a strategy for harmonization of vehicle weight and dimension limits within Canada
- pursuing greater national and/or regional uniformity of policies, regulations and enforcement practices for heavy vehicle weight and dimension limits
- developing and conveying the Canadian position for regulatory harmonization discussions under NAFTA and the Canada/U.S./Mexico Security and Prosperity Partnership

The Task Force convenes annual, open meetings with stakeholders and interested parties to consider needs and priorities for regulatory harmonization in Canada. In addition, regional meetings with stakeholders are also convened regularly to address and pursue harmonization initiatives of specific interest to the region.

Both CCMTA and the Task Force on Vehicle Weights and Dimensions Policy are accountable to the Council of Deputy Ministers Responsible for Transportation and Highway Safety, and provide regular reports on progress and outstanding issues to the Council of Ministers.

3. Highway Transportation Regulatory Harmonization – General Observations

Over the past twenty five years considerable progress has been made by the Council of Ministers in improving the safety and efficiency of the highway transport system, and in simplifying and harmonizing the regulatory environment governing its operation.

Nonetheless, the tremendous diversity of Canada's economy, geography, population and trading patterns often present major challenges to national harmonization efforts:

- Highway infrastructure varies widely in strength and condition across Canada.
- Highway operations in urban areas present quite different challenges than in rural and remote areas.
- Safety considerations and constraints (speed, passing opportunities etc) on flat prairie highways are quite different than for those in mountainous regions.
- Operations on controlled access freeways offer different opportunities and constraints than on two lane highways and in northern or remote regions.

The origin and destination of truck movements can put regulatory harmonization in a different light. It can be argued that efforts at trans-national harmonization may be even more important than domestic harmonization. Figures from Ontario's comprehensive Commercial Vehicle Survey, for example, show that 66% of all truck trips to and from Ontario involve the United States. An additional 30% have an origin or destination in Quebec. A further 3% involve the Maritime provinces and the remaining 1% involve western Canada. Consequently, Ontario regulations are geared to support internal haulage and trade with Quebec, Michigan, and New York. Ontario weight allowances for heavy trucks are more generous than those in provinces other than Quebec.

The wide differences in the capacity of the physical highway infrastructure are recognized in the National Highway System (NHS), a federal/provincial/territorial definition of the key road routes in Canada.

Although the NHS accounts for only 3% of the total road network, it does include the routes in every jurisdiction that are most important to intra-provincial, inter-provincial, and international car and truck traffic. These 38,000 kilometres of key routes are classified as core, feeder, and northern/remote, reflecting the wide differences in their physical condition and capacity. The 97% of Canada's roads that are not included in the NHS present even greater differences in condition and capacity.

While regulatory uniformity is intuitively attractive, the fact remains that differences in some aspects of motor carrier regulations are quite significant. Consequently while there may be benefits to harmonization, there are inevitably costs associated with any harmonization scenario. For example, jurisdictions which have lower weight limits will face added infrastructure costs if limits are raised; carriers and shippers may face higher transport costs if limits are lowered, and more trucks will be required to move the same amount of freight, thus further congesting highways and increasing emissions.

Experience shows that the economic benefits of improved productivity can, in aggregate, be substantial, but would not likely be shared equally by all affected parties. One response to these divergent physical and fiscal realties is to develop regional harmonization agreements that meet the differing needs of shippers and the different capacity of highway in infrastructure in Ontario and Quebec, for example, as opposed to those of the four Western provinces and the North, or the Atlantic provinces. These regional harmonization agreements are described later.

Weight limits in Canada are much higher that those mandated federally in the United States, and are moderately higher than those found in most US States. With the tremendous increase in north-south trade following NAFTA, Canada's weight and dimension regulatory strategy must support the needs of shippers for both domestic and international markets.

Transportation ministries in Canada are engaged in a continuous process of standard setting, evaluation, and revision of regulations to ensure that they are harmonized among jurisdictions, that they promote economic growth and competitiveness, and support trade and commerce.

4. Agreement on Internal Trade – Transportation Chapter

The regulatory harmonization agenda that was developed and pursued through the 1980s was given fresh impetus by the 1994 Agreement on Internal Trade (AIT). The AIT identified areas for joint work in its transportation chapter, focusing on improvements in the National Safety Code for Motor Carriers and the memorandum of understanding to establish and maintain uniform rules governing the size and weight of commercial motor vehicles. All of the measures in the AIT have been addressed by Transportation Ministers.

The stated objectives for transportation under Article 1402 of the AIT include:

(a) to ensure a seamless, integrated Canadian transportation system that:
(i) is safe, secure and efficient;
(ii) is responsive to the needs of shippers and travellers; and
(iii) promotes a competitive, productive and sustainable economy throughout Canada;
(b) to affirm competition and market forces, whenever possible, as the prime agents in providing viable and effective transportation services;
(c) to build on the progress already achieved by the Parties in reducing barriers to trade in transportation services through existing consultation mechanisms and agreements;
(d) to further eliminate obstacles to trade in transportation services in Canada and thereby facilitate internal trade in goods and services; and
(e) to create effective procedures for:

(i) the implementation and application of this Chapter; and
(ii) consultations to cooperatively resolve issues related to the application of this Chapter and to expand and enhance its benefits.

The role and responsibilities assigned to the Council of Ministers under Article 1415 of the AIT include:

1. The Council shall:
- *(a) monitor and facilitate the implementation of the reconciliation obligations set out in Article 1408(1);*
- *(b) act as an effective forum for consultations toward further reconciliation of regulatory and standards-related measures; and*
- *(c) prepare an annual report on its progress under paragraphs (a) and (b).*

2. The Council may:
- *(a) consider and discuss matters relating to the implementation, operation and further elaboration of this Chapter;*
- *(b) serve as a forum for the exchange of views of the Parties on the implications of proposed measures and for developing a consensus on common approaches to trade related issues or problems to which this Chapter applies;*
- *(c) establish any committees, working groups or expert groups that it considers necessary or advisable to fulfill the intent of this Chapter; and*
- *(d) delegate any of its duties or responsibilities under this Chapter to a committee established by the Council.*

The reconciliation obligations set out under Article 1408(1) of the AIT included nine specific issues:

Motor Vehicle Weights and Dimensions

1. *The Parties undertake to establish and maintain uniform rules governing the size and weight of commercial motor vehicles, building on the Memorandum of Understanding signed by the Parties in 1988, as amended in 1992.*
2. *The Council shall review the status of these rules at least every two years.*

Status: Ongoing - Major progress achieved with establishment of national standards in 1988, ongoing efforts to expand and refine standards. MOU amendments endorsed in 1991, 1994, 1997, 2004 and 2008. (See Section 7)

Extra-Provincial Truck Carrier Operating Authorities

3. In furtherance of Council direction, each Party shall eliminate its operating authority requirements for extra-provincial trucking operations no later than January 1, 1996.

Status: Complete – extra-provincial operating authorities were eliminated.

Motor Carrier Safety Rules

4. Subject to paragraph 5, each Party shall implement the National Safety Code for Motor Carriers, as it exists on the date of entry into force of this Agreement, within six months after that date.

5. The Parties shall endeavour to resolve issues relating to the effective delivery of the National Safety Code program before the date of entry into force of this Agreement.

Status: Ongoing - All jurisdictions have adopted NSC, ongoing efforts to refine standards (See Section 5).

Bill of Lading

6. The Parties shall establish a uniform national bill of lading for transportation of goods by motor carriers before the date of the entry into force of this Agreement.

Status: Complete – substantially uniform Bill of Lading has been adopted.

Fuel and Sales Tax and Vehicle Registration Administrative Harmonization

7. The Council shall establish a work plan for the creation of harmonized administrative mechanisms for the collection of fuel and sales taxes and vehicle registration fees before the date of entry into force of this Agreement.

Status: Complete – all jurisdictions have joined international mechanisms for collection and sharing of registration fees and fuel taxes (IFTA and IRP).

Memorandum of Understanding on Regulatory Review

8. The Parties affirm their commitments to the guiding principles of regulatory policy and the criteria and process for regulatory review embodied in the "Memorandum of Understanding to Review Regulations Affecting Transportation", and will bring the process envisaged by that Memorandum of Understanding into operation.

Status: Ongoing – MOU ***e***ndorsed by Council in 1993.

Agents for Service

9. The Council shall establish a work plan for the creation of harmonized administrative arrangements for the designation of agents for service as referred to in Article 1405(1) before the date of entry into force of this Agreement.

Status: Complete

Compliance with the AIT

As required under the Agreement on Internal Trade, reports on progress and developments are submitted annually to the Internal Trade Secretariat from the Council of Ministers. In this context:

- All items identified in the transportation chapter of the AIT have either been addressed or are subject to ongoing discussion.
- No disputes have ever been filed under the AIT which relate to issues in the transportation sector.

The AIT also committed governments to develop and continuously improve principles and processes for the review of regulations affecting transportation. Those principles, processes, and actions are described in the sections that follow.

5. The National Safety Code for Motor Carriers

The National Safety Code (NSC) for Motor Carriers was established in 1987 to promote national consistency in provincial and territorial requirements and regulations and to heighten the attention to the safe operation of commercial vehicles in light of regulatory reform. While the NSC has no legal status itself, the standards comprising the Code serve as minimum standards and models for legislative, regulatory or administrative action by each jurisdiction. It establishes uniform minimum standards governing the safe operation of commercial vehicles nationally and internationally.

a) National Safety Code Standards

The NSC standards are subject to ongoing review and amendment to enhance their effectiveness or respond to new regulatory issues, and include:

Standard 1: Single Driver Licence Compact	A standard which makes it an offence for a driver to hold more than one licence, and includes administrative procedures to ensure driving infractions are assigned to a single licence and record.
Standard 2: Knowledge and Performance Tests (Drivers)	A standard which sets out the process for standardized testing of commercial drivers and includes criteria for both written and road tests and elements which will be evaluated in administering the tests.
Standard 3: Driver Examiner Training Program	A standard respecting the skills and knowledge required by driver examiners.
Standard 4: Classified Driver Licensing System	A standard for the classification and endorsement system for driver licences and ensures that a licence issued in one province/territory is recognized in all provinces/territories.
Standard 5: Self-Certification Standards and Procedures	A standard that outlines the criteria that must be met to permit carriers and driver training schools to train commercial drivers.
Standard 6: Medical Standards for Drivers	The CCMTA Medical Standards for Drivers sets the criteria used to establish whether drivers are medically fit to drive.
Standard 7: Carrier and Driver Profiles	A standard that provides jurisdictions with a record of driver and carrier performance in terms of compliance with safety rules and regulations. The standard supports enforcement activity to remove unsatisfactory drivers and carriers from service, and identifies the type of information that will be maintained on each commercial driver and carrier.
Standard 8: Short-Term Suspension	A standard which describes the criteria for placing a driver out of service on a short-term (24 hour) basis when a peace officer has reasonable and probable grounds to believe the driver's ability is affected by alcohol or drugs.
Standard 9: Hours of Service	A standard which describes the number of hours a commercial driver can be on duty and operate a commercial vehicle. It outlines the requirement to complete daily logs, describes the various cycles of operation and sets out driver and carrier record keeping requirements.
Standard 10: Cargo Securement	A standard which outlines the specific requirements for securing loads to commercial vehicles to ensure they do not shift, move or spill onto the roadway.
Standard 11: Commercial Vehicle Maintenance and Inspection (PMVI) Standards	A standard which outlines requirements for maintenance and periodic inspections.
Standard 12: CVSA On-Road Inspections	A standard which contains the Commercial Vehicle Safety Alliance on-road inspection criteria.
Standard 13: Trip Inspection	A standard which prescribes daily trip inspection requirements.
Standard 14: Safety Rating	A standard which establishes a common framework by which each jurisdiction assesses the safety performance of motor carriers.

Standard 15: Facility Audits	A standard which outlines the audit process to be used by jurisdictions to determine a carrier's level of compliance with all applicable safety standards.
Standard 16: First Aid Training	A voluntary standard that outlines the elements that should be contained in a basic first aid course for commercial drivers.

b) Developments and Current Initiatives

Since the introduction of the National Safety Code in 1987, there have been a number of significant changes made in several of the standards in the interests of improving safety, addressing research findings and changes in technology, and to improve compatibility of regulations within Canada and with the United States. Although not all standards will be addressed, some are outlined below.

Knowledge and Performance Testing

The NSC Standard on Knowledge and Performance Testing is currently being improved and updated to include the incorporation of an air brake testing model.

Driver Examiner Training Program

The NSC Standard on Driver Examiner Training Program is being updated to include a driver examiner certification component for commercial driver testing, a move toward a North American wide standard.

Medical Standards for Drivers

The Medical Standards for Drivers sets the medical criteria to establish whether drivers are medically fit to drive. CCMTA's Medical Advisory Committee is comprised of physicians acting as consultants to the licensing authorities within each province/territory, who assess the existing standards, develop new guidelines reflecting advances in medical treatment based on input from medical specialty societies such as the Canadian Cardiovascular Society, Canadian Diabetes Association, Canadian Medical Association, to name a few. Based on advances in science and expertise, CCMTA's Medical Standards have been amended on a regular basis.

Hours of Service

Truck and bus drivers' hours of service have been regulated since the early 1940's as a countermeasure to fatigue. In 1988, the Council of Ministers adopted the Hours of Service Standard which became the first under the National Safety Code (NSC). In the early 1990's a major cooperative research program was launched with support of governments and industry in Canada and the United States to investigate factors contributing to fatigue in commercial drivers. The research included operational tests involving commercial drivers and fleets in both Canada and the US. The results of the research, completed in 1997, were used as the basis for a review and refinement of the Hours of Service Standard, with the objectives of improving the effectiveness of the regulations, respecting science, improving safety and making them simpler to understand and enforce.

Using the research findings as the foundation for discussion, a proposed revision to the Hours of Service Standard was developed jointly by governments and stakeholders in Canada. These stakeholder groups included industry, researchers, labour unions and other interested safety advocacy groups. Hours of service is regulated by provincial/territorial governments for intra-provincial carriers and by the federal government for inter-provincial carriers with all enforcement done by the provinces/territories.

The issues on hours of service are numerous and complex. Although the Council of Ministers endorsed the revised NSC on Hours of Service in 2002, in 2003 Ministers further directed CCMTA to conduct additional research to address the Canadian Trucking Alliance's (CTA) request for a sleeper berth

provision similar to that of the US, which resulted in its adoption. Again in 2004, further research, as directed by the Council of Ministers, was carried out to address CTA and Transport Canada's request respecting the issue of elapsed time in the standard, referred to as the working window provision. At the end of 2004, and after an objective evaluation of the impacts of increasing the driver operating window by an Expert Fatigue Panel, the working window provision of the standard was maintained as an increase was not sustainable from a safety perspective.

An interpretation guide was drafted by CCMTA in August 2006 in consultation with the regulated industry.

The Federal Hours of Service Regulations were proclaimed on January 1, 2007. Nonetheless, requests for relief from all or part of the regulations have been received from specific sectors such as the road construction sector, the gas industry, and the forestry sector. Work is ongoing to ensure common interpretations of the rules, with officials convening over the next few months. As part of the implementation work across the provinces/territories a number of issues have been raised and amendments to the Federal Regulations are under consideration with amendments to provincial/territorial regulations to follow. Some of these issues are technical in nature and others have policy implications and as such regulatory amendments are anticipated and will most likely be submitted to the Council of Ministers in due course.

Cargo Securement

As a result of a number of accidents attributed to improper cargo securement, a major cooperative research program was launched in 1992 with support of government agencies and industry in Canada and the United States. The research was conducted by the Ontario Ministry of Transportation and Transports Quebec under the guidance of a steering committee comprising representatives from governments and industry from both countries. The research results were used to develop a performance based North American Cargo Securement Standard, which received strong support from the US Federal Motor Carrier Safety Administration, the provincial and territorial governments in Canada and stakeholder organizations in both countries.

The United States introduced regulations to adopt the North American Standard in early 2004. An amendment to the NSC Cargo Securement Standard was endorsed by the Council of Ministers in the fall of 2004, and was implemented by the provinces and territories in mid 2005.

The landmark collaboration with the United States on research and standard development resulted in regulations for securement of cargo on or in commercial vehicles which are virtually uniform, both within Canada and with the United States. To ensure consistency in interpretation and enforcement of the standard, a common training program was developed for enforcement officials and carriers and has been widely used in both countries.

Harmonization work between Canada and the US continues to address a few discrepancies that have developed over the last few years. A North American Cargo Securement Public Forum has been created to foster discussions and assist in the identification of issues in order to bring improvements to the Standard. In addition, Canadian and US officials are working on bilateral initiatives from a regulatory perspective.

Commercial Vehicle Maintenance and Inspection Standards

The Commercial Vehicle Maintenance and Inspection Standards outline the requirements for maintenance and periodic inspection for commercial vehicles. The Standard was last updated and published by CCMTA in 2006. It prescribes mandatory requirements for the periodic in-shop inspection of trucks and

buses across the country. Vehicle safety inspections and maintenance programs have been mandated legislatively in every jurisdiction in Canada. The Standards undergo periodic review by CCMTA, with the participation of all interested stakeholders.

Trip Inspection

The daily vehicle trip inspection standard is intended to provide clear rules to drivers in the early identification of vehicle problems and defects and to prevent the operation of vehicles and conditions that are likely to cause or contribute to a collision or vehicle breakdown. It promotes an improved level of safety and compliance in commercial vehicles operating on the highway. This standard was last updated by CCMTA in 2005. The revised standard has been in place in Ontario and Saskatchewan since 2007 and implementation is ongoing in all other jurisdictions. However, the absence of uniform implementation has required that Ontario, for example, develop an interim interprovincial recognition process to ensure that carriers from other provinces could operate in Ontario, pending the adoption of the new standard by all jurisdictions.

Work on interpretation issues is ongoing, with development of an enforcement guide or clarifications to the standard and inspection schedules anticipated.

Safety Rating

The NSC Standard on Safety Rating requires that every motor carrier have a safety rating issued by the base-plating jurisdiction and that similar carrier performance result in the same rating, regardless of jurisdiction. CCMTA developed this Standard with extensive consultations and cooperation with various stakeholders. Implementation of the Standard required significant administrative and systems changes within each jurisdiction.

The Federal Motor Vehicle Transport Act (MVTA), including the Federal motor carrier safety fitness certificate regulations, is based on the NSC Standard on Safety Rating that was approved by the Council of Ministers in 2002, and was proclaimed on January 1, 2006.

Work is ongoing with the US Federal Motor Carrier Safety Administration (FMCSA) to ensure reciprocity of safety ratings for those carriers involved in international trade. In order to ensure a level playing field, it is intended a carrier's infractions in the other country will be forwarded and applied to its base jurisdiction's carrier profile. Implementing a common standard across jurisdictions in Canada is a challenge, reconciling that standard with one developed independently in the U.S. presents further difficulties. The safety rating initiative is a priority item for CCMTA and is consistent with the work identified by the Canadian Security and Prosperity Partnership (SPP).

Facility Audit

The NSC Facility Audit Standard was approved by the Council of Ministers in 1998 and provides for an audit process to be used by jurisdictions to determine a carrier's level of compliance with all applicable safety standards. This Standard was also developed in consultation and cooperation with CCMTA industry stakeholders. The NSC Audit Standard forms part of the regulations of the Federal MVTA.

c) National Safety Code – Progress and Conclusions

Significant progress has been made in the last twenty years in achieving harmonization among Canadian jurisdictions and to a great degree between Canada and the US regimes as well. It must be remembered the NSC is a code of baseline standards, with jurisdictions having the prerogative of imposing more stringent requirements. Development to implementation may take many years, as the different regional and political views of the complex issues being handled by CCMTA require extensive discussion,

consensus and considerable time to resolve. There are fourteen different governments involved in addition to a number of regional and national stakeholders who all have input to the process.

Commitments to implementation deadlines are not always met because of changes in government and the ability to schedule legislative and regulatory changes within individual jurisdictions. Closure on very difficult issues on which consensus is required takes time.

CCMTA continues to work on and identify issues on a number of fronts in order to ensure uniform regulations and enforcement for the motor carrier industry, both nationally and internationally.

6. Other Conventions and Agreements

In addition to standards under the National Safety Code, the CCMTA and the Council of Ministers of Transportation have developed and implemented additional national and international agreements which affect the motor carrier industry, including:

CAVR/ IRP

Ten provinces are members of the Canadian Agreement on Vehicle Registration (CAVR) and the International Registration Plan (IRP). The three territories are not members.

IRP is a commercial vehicle registration agreement among states of the United States and the provinces of Canada which provides for payment of registration fees on the basis of total distance operated in all jurisdictions. IRP ensures each jurisdiction receives a fair amount of vehicle registration income and provides for a simple one stop shopping for commercial vehicle owners in their home jurisdiction.

CAVR provides additional reciprocity benefits for Canadian vehicles below 11,797 kg and also provides additional service benefits for farm and fishing industry vehicles, and for breakdowns allowing the temporary use of an alternate vehicle.

International Fuel Tax Agreement (IFTA)

IFTA is a North American wide agreement that allows member jurisdictions to cooperatively administer and collect motor fuel use taxes. The forty-eight contiguous states of the United States and the ten Canadian provinces are members of IFTA.

Canadian Driver Licence Agreement (CDLA)

The CDLA enhances the existing Canadian Driver Licence Compact (CDLC) signed by the provincial and territorial Ministers of Transport in 1990. The CDLC supports the concept of the single driver licence and allows for the exchange of driver licences and records in Canada. The CDLA incorporates various security initiatives such as a verification process, card specifications and fraudulent document recognition training.

In September 2005, the provincial and territorial Ministers responsible for the CDLC signed a Memorandum of Understanding respecting the CDLA which included a commitment for each jurisdiction to work towards finalizing the CDLA and to sign the Agreement as soon as possible.

At the present time jurisdictions are currently working towards the requirements of the CDLA which include changes in policy, procedures, operations and business processes, computer systems and in some cases legislative changes prior to becoming signatory to the Agreement.

Significant resources are required by each jurisdiction to meet the requirements of the CDLA. Additional resources will be required for those jurisdictions who wish to go beyond the CDLA and implement the requirements of the US Western Hemisphere Travel Initiative (WHTI) and the Canadian Security and Prosperity Partnership (SPP) requirements.

The Canadian Border Services Agency has held discussions at a bilateral level with respect to an "enhanced driver licence" (EDL), which is SPP compliant. Going beyond the CDLA, SPP's EDL addresses such requirements as citizenship, radio frequency identification chip (RFID) and secure facilities.

7. Heavy Vehicle Weight and Dimension Regulations: National Harmonization

a) Context and Background:

There are approximately 825,000 kilometers of public roads and 50,000 bridges within the Canadian highway transportation system. Approximately 250,000 kilometers of the system are paved, including approximately 16,000 kilometers of multi-lane divided expressways.

Constitutionally, responsibility for and jurisdiction over the highway system was assigned to the ten provincial governments in 1867. The provinces and territories currently have direct responsibility for approximately one third of the network, and have assigned responsibility for the remainder to their respective municipal governments. About 2% of the highway system, located in national parks and other federal lands, is under federal jurisdiction.

Policies regarding highway design and operational standards are developed and implemented by each of the provincial and territorial governments, with collaboration on national guidelines in these areas through the Transportation Association of Canada, a government-industry group. National standards for Bridge Design are developed and maintained by the Canadian Standards Association, with participation by all provinces and territories.

The provinces and territories have authority for establishing vehicle weight and dimension limits on roads within their jurisdiction (except federally owned roads in national parks, national defense installations etc). The provincial and territorial governments also have authority for issuing special permits for oversize and/or overweight loads, movement of selected commodities and other permit provisions which depart from normally regulated limits. Consequently it is within the provincial/territorial context that regulations respecting the weight and dimensions of heavy trucks have evolved, and decisions on designation of truck routes, route and bridge restrictions are made.

In the late 1950's a federal/provincial cooperative highway program was undertaken to design and construct a high standard (principally two lane, paved) highway system linking most major centers along an east west corridor from coast to coast. The Trans-Canada highway was completed in the late 1960's.

With the growing importance of truck transportation through the 1960's and '70's, regulations evolved largely in response to provincial and regional economic needs, and in response to regulatory changes introduced in the United States. As changes occurred across Canada, there was growing recognition that conflicting rules and lack of uniformity were impeding the efficiency of the interprovincial highway transport system. These problems became more visible through the late 1960's and early 1970's as jurisdictions adopted differing approaches to improving highway system productivity, and as new, more liberal, means of assessing bridge capacity were developed.

By the early 1980's it was acknowledged that regulatory conflicts had become a serious impediment to interprovincial trade and a concerted effort was launched to improve the uniformity of truck size and weight regulations.

b) The Canadian Vehicle Weights and Dimensions Research Program

The differences which had arisen in weight and dimension regulations reflected different engineering judgments of the structural capacity of highway infrastructure, the compatibility of large and heavy truck configurations with highway geometrics, and safety concerns for truck performance as weights and/or dimensions change. To provide a common technical basis for discussion of harmonization of regulations, it was agreed that research was needed.

The research approached the issues of vehicle weights and dimensions from a "first principles" perspective, focusing on identifying the type and magnitude of impacts that changes in truck size and weight parameters would have. Initial studies conducted on bridge capacity concluded that higher capacity existed than previously thought and that variation in load carrying capacity of pavement structures were likely to be a greater constraining factor.

To explore the remaining range of concerns, the largest cooperative highway research program ever undertaken in Canada was developed and launched. Valued at nearly $3 million, the Vehicle Weights and Dimensions Study was jointly funded and steered by governments and industry, and over a twenty four month period from 1984 to 1986 conducted an exhaustive study of the impacts of changes in parameters including vehicle types, loads, axle spacings, suspension types, trailer lengths and hitch types. Pavement strain and deflection data was collected at thirteen sites on the primary highway system across Canada under a common test program comprising a wide range of axle loads and configurations. Vehicle stability and control testing was carried out at locations in Canada and Michigan, and computer simulation of the performance of over 200 variations in truck configurations was carried out by the University of Michigan.

In support of the discussion of regulatory harmonization, companion studies were also undertaken of the impact of vehicle length on passing on two-lane highways, and on the economic implications of changes in size and weight scenarios.

c) Development of National Standards

The results of the research program were used to support discussion and development of proposed national standards for truck size and weight regulations. Through concerted efforts of representatives from all governments and extensive consultation with stakeholders, the first Memorandum of Understanding Respecting an Agreement on Interprovincial Vehicle Weights and Dimensions was developed and presented to, and endorsed by, the Council of Ministers Responsible for Transportation and Highway Safety in February 1988.

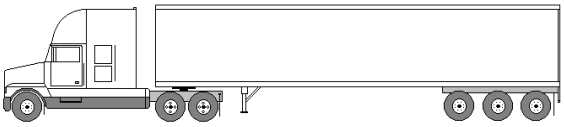
The 1988 agreement established common national standards for the four most common configurations of heavy vehicle types used interprovincially (Tractor-Semitrailers and Double Trailer Combinations). Dimensional uniformity is of critical importance and has been a primary focus of both stakeholders and regulatory officials in the last 20 years. The dimensions of a vehicle cannot be changed once it is built, but the weight of a truck can be altered by simply adjusting the amount of freight loaded on the vehicle. Once dimensions were harmonized, it became routine practice to load the truck to the minimum standard of the jurisdictions through which it traveled.

Under the terms of the MOU on Vehicle Weights and Dimensions, each jurisdiction agreed to allow vehicles which comply with the limits contained in the MOU to travel on a designated portion of their highway system. It is the responsibility of each province to identify its respective designated highway system as an integral component of the agreement. As a result of ongoing highway upgrading and bridge rehabilitation programs, since 1988 the designated highway system has expanded considerably.

The 1988 MOU also established the Interjurisdictional Committee on Vehicle Weights and Dimensions to provide an ongoing policy coordination mechanism with responsibility for overseeing implementation of the MOU provisions by provinces and territories, monitoring the state of regulatory harmonization, and guiding future changes to the MOU.

The research on vehicle stability and control issues produced target performance criteria for heavy truck characteristics in the areas of rollover, braking, turning and dynamic stability. These criteria have provided a sound foundation for guiding the evolution of weight and dimension limits, by enabling assessment of the impacts of potential changes in regulations on the safety performance of heavy vehicle configurations. The pavement research produced a better understanding of the impacts of heavy trucks on the range of pavement designs used in different regions of the country.

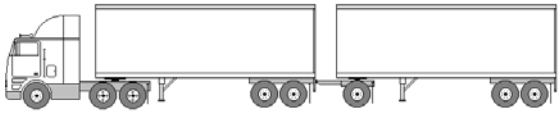
1988 MOU – Vehicle Configurations Included



Tractor Semitrailer

A Train Double

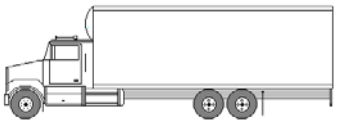
B Train Double



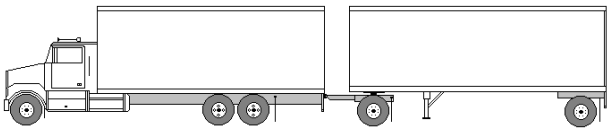
C Train Double

Subsequent research and work by the Interjurisdictional Committee resulted in expansion of this agreement in 1991 to include four additional vehicle configurations.

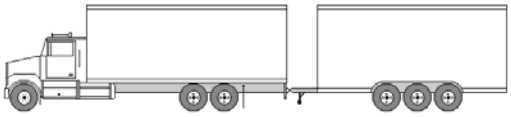
1991 MOU Amendment – Vehicle Configurations Added



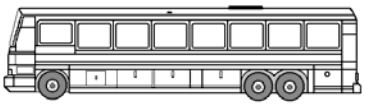
Straight Truck



Truck – Full Trailer



Truck – Pony Trailer



Intercity Motor Coach

Economic Impacts and Benefits – 1988 MOU:

Harmonization of truck size and weight limits associated with the 1988 MOU resulted in improved highway system productivity, regulatory incentives to use the most stable, safest and productive vehicle configurations, reduced impacts on highway infrastructure and reduced transportation costs.

Economic impact assessment studies conducted in 1988 and in 1993 demonstrated that the changes which had been introduced produced net annual savings in truck transportation costs of $180 to $300 million annually, the majority of which were passed on to shippers through reduced rates.

Amendments to the MOU – 1994

Following research on the safety of passing operations on two lane roads, amendments were introduced to the MOU which increased the length limit for semitrailers to 16.2 m (53 ft) and the overall length limit for double trailer combinations to 25 m (82 ft).

Regional Harmonization Initiatives: Eastern Provinces Task Force 1993-1995

In late 1993 an initiative was launched by the six eastern provinces to explore the feasibility of implementing uniform vehicle weight and dimension regulations within the region. While implementation of the 1988 MOU had resulted in a high degree of uniformity in regulations in western Canada, the eastern provinces had retained their traditionally higher weight limits, along with continued use of vehicle configurations which are specifically designed to be productive within the complex regulatory environment encompassing eastern Canada and key northeastern states (Michigan, New York, Ohio, Maine, Vermont).

A key objective of the initiative was to simplify the regulatory environment in eastern Canada by adopting the vehicle dimension limits contained in the national MOU while establishing common, higher weight limits within the region which would be suited to the needs of carriers and shippers within the region.

Following extensive consultation with stakeholders, a proposed agreement was presented to the Council of Ministers in the fall of 1995. However, as a result of opposition to the proposal from some key stakeholder groups, the proposed agreement did not receive endorsement.

Agreement on Internal Trade: Review of the Feasibility of Greater Uniformity 1996-1997

The 1994 Agreement on Internal Trade cited differences in truck weight and dimension limits as a priority obstacle to more efficient highway transportation. In 1995 the Council of Ministers directed the Task Force on Vehicle Weights and Dimensions Policy to work with stakeholders, shippers, trucking industry representatives and other interested parties to develop a proposal which would build on the 1988, 1991 and 1994 MOU provisions and would achieve greater regulatory uniformity.

In December 1996 a discussion paper entitled “An Approach to Greater National Uniformity in Vehicle Weight and Dimension Limits” was prepared by the Task Force and provided to over 200 stakeholder groups across Canada. The paper invited comments on:

- areas where uniformity in weight and dimension standards would be beneficial to the national economy and the highway transport industry
- a process for establishing uniform standards within all jurisdictions
- a process for proposing changes to these standards
- a means to coordinate implementation of regulatory changes
- candidate vehicle configurations for initial implementation of uniform national standards

Through the winter of 1997 meetings were convened with stakeholders in development of a proposal. The meetings were well attended, and included representatives from all major carrier groups, shippers, equipment manufacturers, resource, agriculture and construction sectors, municipalities and other road users. Key comments offered included:

- Virtually all stakeholders felt that some form of national standards for vehicle weight and dimension limits are needed in Canada

- Some carriers and carrier organizations felt that uniform national standards are needed for the most common vehicle configurations: ie. the rules are exactly the same in every province.
- Some carriers, carrier organizations and most shippers felt that better, minimum national standards are needed to support efficient interprovincial transportation, but provinces should still be free to have higher weights or more liberal dimensions (to support regional economies and trade).
- Manufacturers of truck and trailer equipment expressed support for uniform national standards (simpler, lower cost etc.), but are prepared to build whatever equipment the customers need

Through these discussions recommendations were developed for sixteen changes to the standards contained in the national MOU. Nine of these changes were unanimously supported, and were advanced to, and endorsed by, the Council of Ministers at its meeting in July 1997.

While seven of the recommendations did not receive unanimous support in 1997:

- one was subsequently approved as an amendment to the national MOU in 2004 (box length limit on A Train Doubles)
- four (axle weight limit related) have been adopted in eastern Canada
- one has been adopted in western Canada (gross weight limit for C Train Doubles)
- one has been adopted by all jurisdictions except Quebec (no spring weight restrictions on major interprovincial highways)

Regional Harmonization Initiatives: Atlantic Provinces Task Force 1999 - 2001

Following the failure of the Eastern Provinces proposal in 1995, and with direction from the Council of Atlantic Premiers, the four Atlantic provinces continued efforts to develop and implement uniform vehicle weight and dimension regulations within their region.

In late 1999 a discussion paper and draft proposal was completed, and was used as the basis for stakeholder consultative meetings at sixteen locations in Atlantic Canada.

The proposal was refined as a result of the consultation efforts, leading to presentation of a proposed agreement on uniform weight and dimension regulations to the Atlantic Ministers Responsible for Transportation in May 2001. The proposal was endorsed, resulting in changes to the weight and dimension regulations of all four provinces which will achieve uniformity following completion of the transition strategy in 2010.

Regional Harmonization Initiatives: Ontario-Québec Agreement on Vehicle Weights and Dimensions (2000)

An agreement was established in 2000 between Ontario and Québec to harmonize the vehicle weight and dimension limits for multi-axle semitrailer configurations which are not addressed in the national MOU but commonly operate between the two provinces. The agreement came into effect in January 2001.

Regional Harmonization Initiatives: MOU on Harmonization of Special Permit Conditions for Oversize and Overweight Loads in Western Canada (2002)

Following discussions with stakeholders, an agreement was reached between the four western provinces to harmonize special permit conditions for movement of oversize and overweight indivisible loads within the region (BC, AB, SK and MB). An MOU on the agreement was endorsed by the western Transportation Ministers in November 2002.

Regional Harmonization Initiatives: MOU on Harmonization of Special Permit Conditions for Movement of Hay Bales (2002)

To address the need for greater regional movements of hay bales in western Canada due to drought conditions, agreement was reached on common special permit conditions in British Columbia, Alberta, Saskatchewan and Manitoba. An MOU on the agreement was endorsed by the western Transportation Ministers in November 2002.

Amendments to the MOU – 2004

As a result of requests from stakeholders, amendments to the MOU were introduced in 2004 which increased the box length limit on A Train Doubles to 20 metres and expanded the application of the MOU standards to include recreational vehicles.

Regional Harmonization Initiatives: Ontario-Quebec Cooperation Agreement on Transportation (2006)

In 2006 Ontario and Quebec signed a broad cooperative agreement in transportation that included as a priority the further harmonization of regulations relative to trucking. The agreement recognized the significant role that harmonization of standards and regulations within the transportation sector can play in facilitating interprovincial and international trade and committed the two provinces to work to reduce unnecessary technical and economic barriers to trade, building on the success of the 2000 agreement mentioned above. Specifically, the two provinces agreed to pursue actions to facilitate the implementation of harmonized measures resulting from the National Safety Code or other initiatives and to strengthen coordination of standards regarding heavy vehicles, including harmonization of vehicle weights and dimensions; configuration of vehicles; and harmonization of Oversize/Overweight permits.

As a result of the agreement, 11 additional harmonization measures have been adopted or are under active consideration. The two provinces are also currently working on three additional measures: wide single tires, long combination vehicles, and speed limiters on heavy trucks.

In addition, Ontario and Quebec are exploring further opportunities for the harmonization of transportation regulations in their joint work on a comprehensive trade deal between the two provinces and their work on the Ontario-Quebec Continental Gateway and Trade Corridor

Regional Harmonization Initiatives: Trade, Investment and Labour Mobility Agreement (TILMA) between British Columbia and Alberta (2007)

This agreement will come into full effect in April 2009, and is unique in requiring the provinces to reconcile measures which may restrict or impair trade, investment or labour mobility between the provinces. Work is in progress to create a list of all transportation measures which are either exempt from TILMA, or accepted as a Legitimate Objective of one of the provinces. Any measures not listed will be mutually recognized by the other party, as of the effective date. Legislative amendments are being prepared, to comply with this Agreement, and regulatory changes will be pending over the upcoming year.

Amendments to the MOU - 2008

Amendments to the national MOU were approved by the Council of Ministers in April 2008 which increase the weight limits for new generation wide single tires, allow additional length on trucks and trailers to accommodate devices which improve aerodynamics, and standardize width limit allowances for rear view mirrors and other auxiliary equipment.

d) Pending Proposals

National Guidelines for Supplementary Vehicle Configurations

The Task Force on VW&D Policy is developing guidelines for supplementary vehicle configurations for review by the Council of Ministers. These guidelines are intended to provide a mechanism to harmonize weights and dimensions of vehicles that operate in a limited number of jurisdictions. It addresses a particular concern of the Canadian Trucking Alliance about the difficulty of obtaining consensus from all jurisdictions for vehicles that fall outside the MOU envelope.

Atlantic Agreement on Special Permit Conditions for Overdimensional Indivisible Vehicles and Loads

A proposal has been completed for consideration by Atlantic Ministers which would establish common permit conditions for movement of oversize indivisible loads within the region (NB, PE, NS and NL). The proposal includes common standards for escort vehicles, signing, lighting and marking and operating restrictions.

8. Vehicle Weights and Dimensions Harmonization: Progress and Conclusions

Continued and concerted efforts by all governments, coupled with strong support from stakeholders, have allowed major progress to be achieved on vehicle weight and dimension policies within Canada (See Appendices A and B). While the regulations are not uniform, there has been significant and steady progress in simplification and harmonization of key elements of the regulatory framework.

- The dimension limits applicable to vehicle configurations most commonly used in interprovincial transportation are now virtually uniform across Canada (Appendix A).
- While the weight limits in eastern Canada remain higher than in western Canada, the regulations have been simplified and harmonized as a result of regional agreements in the east (Appendix B).
- Compatibility of Canadian dimension regulations with those in the United States has been maintained in support of vitally important north-south trade.
- Progress has been made in harmonization of special permit conditions for movements on oversize and overweight vehicles and loads.

9. Conclusions

Transportation Ministers have been engaged in a continuous process of harmonizing transportation regulatory codes and eliminating any standards and regulations that are unjustifiable barriers to trade in the transportation sector and in the national economy. Ministers approved a number of regulatory harmonization initiatives early in 2008 and are working on 11 additional initiatives with target dates in 2008 and 2009. Solid structures have been created to pursue regulatory harmonization, and stakeholder input is ensured. Regulatory harmonization in transportation will continue to improve in response to changes in physical infrastructure, technological developments in equipment, and changes in business practices and trade patterns.

Appendix A: Regulated Vehicle Dimension Limits: 1992 vs 2008

Under the terms of the MOU on Vehicle Weights and Dimensions, provinces and territories are not obliged to adopt the specific dimension limits contained in the agreement, but will ensure that their regulations are not more restrictive than the national standards for vehicles travelling on their designated highway systems. However, since the original MOU was endorsed in 1988 there has been significant and steady increases in the number of MOU limits which have been adopted by jurisdictions.

The tables which follow depict the dimension limits contained in the MOU along with the actual regulated limits in place in each jurisdiction in both 1992 and 2008.

- The boxes highlighted in green depict instances where provinces and territories have adopted the dimension limit contained in the MOU
- The boxes in white indicate where provinces and territories have retained or adopted a dimension limit that is more liberal than the MOU standard.

As illustrated in the depiction for 2008, the dimension limits for commercial vehicles are virtually uniform across Canada.

1992

Legend: * MOU Limit adopted NR Not regulated

Dimension Limits (metres)	MOU	YK	NT	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL
Overall Height	4.15	4.2	4.2	*	*	*	*	*	*	*	*	*	*
Overall Width	2.6	*	*	*	*	*	*	*	*	*	*	*	*
Overall Length													
Straight Truck	12.5	*	*	*	*	*	*	*	*	*	*	12.2	*
Truck & Full Trailer	23	22	21	*	*	*	*	*	*	21	*	NR	*
Truck & Pony Trailer	23	*	22	*	*	*	*	*	*	21	*	*	*
Tractor Semitrailer	23	25	22	*	25	*	*	*	*	21	*	*	*
A Train Double	23	25	25	25	25	25	25	*	*	*	*	*	*
B Train Double	23	25	25	25	25	25	25	*	*	*	*	*	*
C Train Double	23	25	25	25	25	25	25	*	*	*	*	*	*
Trailer Length													
Full Trailer	12.5	13.5	NR	*	*	16.2	*	*	14.65	14.65	14.65	NR	NR
Semitrailer	14.65	13.5	NR	16.2	16.2	16.2	16.2	*	15.5	*	*	*	*
Box Length													
Truck & Full or Pony Trailer	18.5	NR	NR	*	*	NR	NR	NR	NR	NR	NR	NR	NR
A Train Double	18.5	NR	NR	*	*	*	*	*	*	*	*	*	*
B Train Double	20	NR	NR	*	*	*	*	*	18.5	*	*	*	*
C Train Double	20	NR	NR	*	*	*	18.5	*	18.5	18.5	18.5	*	18.5
Effective Rear Overhang													
Straight Truck	4	*	*	*	*	*	NR	*	*	NR	*	*	*
Semitrailer	35% of wb	*	*	*	*	*	*	*	*	NR	*	*	*
Wheelbase													
Tractor (min)	3	*	*	*	*	*	*	NR	*	2.4	*	*	*
Tractor (max)	6.2	NR		*	*	*	*	NR	NR	NR	*	*	*
Full Trailer (min)	6.5	NR	NR	6.25	*	*	6.25	NR	NR	NR	6.25	6.25	*
Semitrailer (max)	12.5	NR	NR	*	*	*	*	NR	*	NR	*	*	*
Semitrailer (min)	6.5	NR	NR	6.25	6.25	*	6.25	NR	NR	NR	6.25	6.25	*
Semitrailer – tridem (min)	9.5	NR	NR	6.25	6.25	6.5	6.25	NR	NR	NR	*	*	*

2008

Legend: * MOU Limit adopted NR Not regulated

Dimension Limits (metres)

	MOU	YK	NT	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL
Overall Height	4.15	4.2	4.2	*	*	*	*	*	*	*	*	*	*
Overall Width	2.6	*	*	*	*	*	*	*	*	*	*	*	*
Overall Length													
Straight Truck	12.5	*	*	*	*	*	*	*	*	*	*	*	*
Truck & Full Trailer	23	*	21	*	*	*	*	*	*	*	*	*	*
Truck & Pony Trailer	23	*	21	*	*	*	*	*	*	*	*	*	*
Tractor Semitrailer	23	*	25	*	*	*	*	*	*	*	*	*	*
A Train Double	25	*	*	*	*	*	*	*	*	*	*	*	*
B Train Double	25	26	*	*	*	*	*	*	*	*	*	*	*
C Train Double	25	*	*	*	*	*	*	*	*	*	*	*	*
Trailer Length													
Full Trailer	12.5	*	NR	*	*	16.2	*	*	14.65	*	*	*	*
Semitrailer	16.2	*	NR	*	*	*	*	*	*	*	*	*	*
Box Length													
Truck & Full or Pony Trailer	20	*	NR	*	*	*	*	NR	NR	*	*	*	*
A Train Double	20	*	NR	*	*	*	*	*	18.5[1]	*	*	*	*
B Train Double	20	*	NR	*	*	*	*	*	*	*	*	*	*
C Train Double	20	*	NR	*	*	*	*	*	*	*	*	*	*
Effective Rear Overhang													
Straight Truck	4	*	*	*	*	*	*	NR	*	*	*	*	*
Semitrailer	35% of wb	*	*	*	*	*	*	*	*	*	*	*	*
Wheelbase													
Tractor (min)	3	*	*	*	*	*	*	*	*	*	*	*	*
Tractor (max)	6.2	NR	*	*	*	*	*	*	*	*	*	*	*
Full Trailer (min)	6.25	*	3 m	*	*	*	*	NR	NR	*	*	*	*
Semitrailer (max)	12.5	*	NR	*	*	*	*	*	*	*	*	*	*
Semitrailer (min)	6.25	*	5 m	*	*	*	*	*	NR	*	*	*	*

Appendix B: Regulated Weight Limits: 1992 vs 2008

Under the terms of the MOU on Vehicle Weights and Dimensions, provinces and territories are not obliged to adopt the specific weight limits contained in the agreement, but commit to ensure that their regulations are not more restrictive than the national standards for vehicles travelling on their designated highway systems.

The tables which follow depict the weight limits contained in the MOU along with the actual regulated limits in place in each jurisdiction in both 1992 and 2008.

- The boxes highlighted in green depict instances where provinces and territories have adopted the weight limit contained in the MOU
- The boxes in white indicate where provinces and territories retained or adopted a weight limit that is more liberal than the MOU standard.
- The boxes highlighted in brown indicate where provinces and territories retained or adopted a weight limit that is higher than in the MOU, but which was reached through a regional harmonization agreement.

As illustrated in the depiction for 2008, there has been a significant reduction in the variations in weight limits across Canada as a result of both the national MOU and regional harmonization agreements.

1992

Legend: * MOU limit adopted | NR Not regulated | NP Not permitted | SP Special Permit Required

Weight Limits (kilograms)

Gross Vehicle Weight		MOU	YK	NT	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL
Truck - 3 axles		22, 500	26,900	22,500	26,100	24,300	23,000	23,300	28,100	27,250	*	27,500	26,000	26,100
Tractor Semitrailer	- 3 axles	23,700	*	*	*	*	*	*	28,300	*	23,500	23,000	*	*
	- 4 axles	31,600	*	*	32,800	*	*	*	37,800	*	32,500	32,000	*	*
	- 5 axles	39,500	44,000	*	*	*	*	*	47,200	45,000	40,500	46,500	40,600	40,500
	- 6 axles	46,500	54,000	*	*	*	*	*	56,000	55,000	49,500	53,000	49,700	49,500
A Train	- 5 axles	39,700	*	37,500	38,000	*	*	*	47,500	*	*	43,500	*	*
	- 6 axles	47,600	*	*	*	*	*	*	56,000	*	*	48,000	*	*
	- 7 axles	53,500	63,500	*	*	*	*	*	63,300	57,500	*	53,500	53,400	*
	- 8 axles	53,500	63,500	*	*	*	*	*	63,500	57,500	*	54,000	53,400	*
B Train	- 6 axles	48,600	*	*	*	*	*	*	56,000	*	*	49,000	*	50,600
	- 7 axles	56,500	63,500	*	*	*	*	*	63,300	59,000	*	*	*	*
	- 8 axles	62,500	63,500	*	63,500	*	*	*	63,500	59,000	*	*	62,400	*
C Train	- 5 axles	41,900	45,500	41,900	*	*	*	*	47,500	*	*	43,500	*	39,700
	- 6 axles	49,800	54,600	49,800	*	*	*	*	56,000	*	*	48,000	*	48,600
	- 7 axles	54,600	60,500	57,700	*	*	*	*	63,300	57,500	*	53,500	53,400	53,500
	- 8 axles	58,500	60,500	*	*	60,500	*	*	63,500	57,500	*	54,000	53,400	53,500
Truck & Pony Trailer	- 6 axles	43,500	55,500	46,500	51,000	45,300	*	SP	56,000	50,000	NP	NR	NP	47,100
Truck & Full Trailer	- 5 axles	39,500	43,700	*	43,100	42,500	*	SP	47,500	45,500	41,500	41,000	NP	43,100
Truck & Full Trailer	- 7 axles	53,500	63,300	*	57,100	*	62,500	SP	63,300	55,500	56,500	50,000	NP	57,100
Axle loads														
Steering Axle - Tractors		5,500	9,000	*	*	*	*	*	9,000	9,000	9,000	5,000	*	9,100
Steering Axle - Trucks		5,500	9,000	*	9,100	7,300	*	*	9,000	*	8,000	8,000	8,000	8,000
Single Axle - dual tires		9,100	10,000	*	*	*	*	*	10,000	10,000	9,000	9,000	*	*
Tandem - 1.2 m spread		17,000	16,800	*	*	*	*	*	17,000	17,500	16,000	16,000	*	*
Tandem - 1.8 m spread		17,000	19,100	*	*	*	*	*	19,100	20,000	18,000	*	18,100	18,000
Tridem - 2.4 m spread		21,000	21,300	*	24,000	*	*	*	21,300	23,000	20,500	NR	*	*
Tridem - 3.0 m spread		23,000	24,000	*	24,000	*	*	*	23,000	25,000	20,500	NR	*	*
Tridem - 3.7 m spread		24,000	*	*	*	*	*	*	24,800	27,000	22,500	NR	NP	27,000

2008

Legend: * MOU limit adopted; Regional harmonization agreement

Weight Limits (kilograms)

Gross Vehicle Weight	MOU	YK	NT	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL
Truck - 3 axles	24,250	26,000	22,500	26,000	24,300	*	24,300	28,100	25,250	26,000	26,000	26,000	26,000
Tractor Semitrailer - 3 axles	23,700	25,500	*	*	*	*	*	26,800	25,500	*	*	*	*
- 4 axles	31,600	34,600	*	32,800	*	*	*	36,300	33,500	32,600	32,600	32,600	32,600
- 5 axles	39,500	43,700	*	*	*	*	*	45,900	41,500	41,500	41,500	41,500	41,500
- 6 axles	46,500	48,600	*	*	*	*	*	55,000	49,500	49,500	49,500	49,500	49,500
A Train - 5 axles	41,900	45,500	39,700	38,000	*	*	*	*	45,500	*	*	*	*
- 6 axles	49,800	53,500	47,600	*	*	*	*	*	53,500	50,800	50,800	50,800	50,800
- 7 axles	53,500	*	*	*	*	*	*	*	*	*	*	*	*
- 8 axles	53,500	*	*	*	*	*	*	*	*	*	*	*	*
B Train - 6 axles	48,600	53,700	*	*	*	*	*	56,000	53,000	50,600	50,600	50,600	50,600
- 7 axles	56,500	62,800	*	*	*	*	*	60,300	59,000	59,500	59,500	59,500	59,500
- 8 axles	62,500	63,500	63,500	63,500	63,500	*	*	63,500	*	*	*	*	*
C Train - 5 axles	41,900	45,500	41,900	*	*	*	*	*	*	*	*	*	*
- 6 axles	49,800	54,600	49,800	*	*	*	*	*	53,500	50,800	50,800	50,800	50,800
- 7 axles	54,600	60,500	57,700	*	57,700	*	*	*	55,500	55,600	55,600	55,600	55,600
- 8 axles	58,500	60,500	*	60,500	60,500	60,500	60,500	*	*	*	*	*	*
Truck & Pony Trailer - 6 axles	45,250	50,400	48,600	47,000	45,300	*	45,300	56,000	49,500	47,000	47,000	47,000	47,000
Truck & Full Trailer - 5 axles	41,250	45,500	40,700	43,000	42,500	42,450	41,300	47,500	43,500	43,000	43,000	43,000	43,000
Truck & Full Trailer - 7 axles	53,500	57,400	*	57,000	55,300	*	55,300	63,300	55,500	*	*	*	*
Axle loads													
Steering Axle - Tractors	5,500	*	*	*	*	*	*	7,700	*	*	*	*	*
Steering Axle - Trucks	7,250	7,300	7,300	9,100	7,300	*	7,300	9,000	*	8,000	8,000	8,000	8,000
Single Axle - dual tires	9,100	10,000	*	*	*	*	*	10,000	10,000	*	*	*	*
Tandem - 1.2 m spread	17,000	17,900	*	*	*	*	*	18,000	18,000	18,000	18,000	18,000	18,000
Tandem - 1.8 m spread	17,000	19,100	*	*	*	*	*	19,100	18,000	18,000	18,000	18,000	18,000
Tridem - 2.4 m spread	21,000	24,000	*	24,000	*	*	*	21,300	*	*	*	*	*
Tridem - 3.0 m spread	23,000	24,000	24,000	24,000	24,000	*	*	24,000	24,000	24,000	24,000	24,000	24,000
Tridem - 3.7 m spread	24,000	*	*	*	*	*	*	26,000	26,000	26,000	26,000	26,000	26,000

Appendix C: Chronology of Agreements on Regulations Affecting Motor Carriers

National Scope

September 1987:
Agreement on a National Safety Code

Impacts:
Agreement to develop and implement a National Safety Code (NSC) to encourage trucking safety, promote efficiency in the motor carrier industry, and achieve consistent safety standards in this area across Canada.

February 1988:
MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Established national standards for the weights and dimensions of the most common configurations of heavy vehicles operating interprovincially (tractor semitrailers and double trailer combinations).

September 1991:
Amendments to the MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Expanded the coverage of the national standards to include four additional vehicle configurations (single trucks, trucks with trailers, and intercity motor coaches).

September 1991:
MOU on Periodic Mandatory Commercial Motor Vehicle Inspection

Impacts:
Established common, compulsory motor vehicle inspection programs and recognition of vehicle inspections carried out in other jurisdictions.

September 1993:
MOU Respecting a Review of Regulations Affecting Transportation

Impacts:
A commitment to review regulations affecting transportation using a common review process, criteria and framework, and to work with stakeholders in reviewing the consistency of regulations with a common set of principles.

July 1994:
Amendments to the MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Increased the length limit for semitrailers to 16.2 m (53 ft) and the overall length limit for double trailer combinations to 25 m (82 ft).

June 1997:
Amendments to the MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Increased the box length limit for truck trailer combinations and changed several dimension controls to address operational concerns raised by industry stakeholders.

September 2001:
MOU Respecting National Consistency in Motor Carrier Safety Standards

Impacts:
Assigned priority to the development, review and implementation of NSC standards for weight threshold, security of loads, hours of service and carrier safety rating. Endorsed a procedure for development, review, approval and implementation of NSC standards.

September 2002
Amendments to the National Safety Code Standards on Hours of Service and Carrier Safety Rating

Impacts:
Changes were endorsed to the NSC standards on Hours of Service and Carrier Safety Rating based on research findings and stakeholder consultation.

September 2004:
Amendments to the MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Increased the box length limit on A Train Doubles to 20 metres and expanded the application of the MOU standards to include recreational vehicles.

September 2004
Amendments to the National Safety Code Standard on Cargo Securement

Impacts:
Changes were endorsed to the NSC Standard on Cargo Securement, which established uniform requirements within both Canada and the United States.

April 2008:
Amendments to the MOU Respecting a Federal-Provincial-Territorial Agreement on Vehicle Weights and Dimensions

Impacts:
Increased the weight limits for new generation wide single tires, allowed additional length on trucks and trailers to accommodate devices which improve aerodynamics, and standardized width allowances for rear view mirrors and other auxiliary equipment.

Regional Scope

August 2000
Ontario-Québec Agreement on Vehicle Weights and Dimensions

Impacts:
Harmonized vehicle weight and dimension limits for specific vehicle configurations which commonly operate between the two provinces. The agreement came into effect in January 2001.

June 2001

Atlantic Agreement on Uniform Vehicle Weights and Dimensions

Impacts:
Adoption of uniform regulatory requirements for vehicle weights and dimensions by all four Atlantic provinces, accompanied by a transition plan extending through December 31, 2009.

November 2002 – Western Canada

MOU on Harmonization of Special Permit Conditions for Oversize and Overweight Loads

Impacts:
Improved the compatibility of special permit conditions for movement of oversize and overweight indivisible loads within the region (BC, AB, SK and MB).

November 2002 – Western Canada

MOU on Harmonization of Special Permit Conditions for Movement of Hay Bales

Impacts:
Adoption of common conditions in British Columbia, Alberta, Saskatchewan and Manitoba for movement of hay bales within the region within the region (under special permits).

April 2006 – British Columbia and Alberta

Trade, Investment and Labour Mobility Agreement between British Columbia and Alberta

Impacts:
Measures between the provinces, including transportation regulations, will be reconciled to remove barriers which restrict or impair trade between the two provinces, with the Agreement to be fully in force on April 2009.

August 2006

Ontario-Québec Agreement on Vehicle Weights and Dimensions

Impacts:
Eleven harmonization measures were developed for regulations relative to trucking, including aspects of the National Safety Code, weights and dimension regulations and special permits. The two provinces are currently working on three additional measures: wide single tires, long combination vehicles, speed limiters on heavy trucks.

August 2007

Atlantic Agreement on Special Permit Conditions for Overdimensional Indivisible Vehicles and Loads (pending)

Impacts:
Will establish common permit conditions for movement of oversize indivisible loads within the region (NB, PE, NS and NL). Includes common standards for escort vehicles, signing, lighting and marking and operating restrictions.