

Module 7: Federal Hours of Service Regulations



Updated March 2021

MODULE CONTENTS



Module 7 aims to introduce carriers and drivers to the basics of the federal drivers' hours of service regulations. The contents of this module are as follows.

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THIS MODULE SERVES ONLY AS A GUIDE AND CANNOT REPLACE REGULATORY LEGISLATION. HOWEVER, EVERY EFFORT HAS BEEN MADE TO ENSURE THE INFORMATION IN THIS MODULE IS ACCURATE AT THE TIME OF PREPARATION. THE MATERIAL IN THESE DOCUMENTS ARE NOT INTENDED TO REPRESENT A FULL TRAINING COURSE IN ANY SUBJECT AREA COVERED, NOR IS IT INTENDED TO BE REPRODUCED OR SOLD FOR COMMERCIAL PURPOSES OR FINANCIAL GAIN.

Note: A “driver” is a person who is employed or otherwise engaged by the motor carrier to operate a commercial vehicle. This means the federal drivers' hours of service laws apply to drivers, mechanics and managers that operate regulated vehicles at any time.

FEDERAL HOURS OF SERVICE REGULATIONS



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

According to Section 2 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), federal drivers' hours of service regulations apply to drivers of:



Commercial vehicles that have a registered gross vehicle weight of more than 4,500 kilograms and that operate in multiple provinces, territories or



Commercial vehicles with a manufacturer's seating capacity originally designed for 11 or more persons, including the driver, that operate in multiple provinces, territories or states.

If a carrier is **federally** regulated (i.e. they operate in multiple provinces, territories or states), their drivers must follow the federal hours of service laws. These laws will apply to every vehicle registered over 4,500 kgs in the company's fleet, even if some of their drivers only operate point-to-point within Alberta.

If a carrier is **provincially** regulated (i.e. they only operate within the Province of Alberta) their drivers must follow the provincial drivers' hours of service laws. This means they have different requirements and limitations to adhere to, however are not authorized to operate commercial vehicles outside of Alberta. See Module 8 for more information on the provincial hours of service laws

RESPONSIBILITIES OF MOTOR CARRIERS, SHIPPERS, CONSIGNEES AND DRIVERS

Section 4 of the *Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)* places the responsibility to help prevent fatigue-related incidents involving commercial vehicles onto:

- The motor carrier;
- The shipper;
- The consignee (receiver);
- Other persons (such as safety officers, dispatchers);
- The driver.

These responsible parties **MUST** take steps to prevent the driver from driving if:

- Driving would jeopardize or be likely to jeopardize the safety or health of the public, the driver, or the employees of the motor carrier;
- The driver is subject to an out-of-service declaration;
- The driver, in doing so, would NOT be in compliance with the regulations.



Anyone listed above may be subject to enforcement action if they fail to ensure compliance to the federal drivers' hours of service regulations.

Understanding Responsibilities

To fully understand their responsibilities, it is important that everyone understands the federal drivers' hours of service laws. The Alberta government has prepared a guide that may assist carriers and drivers in better understanding these laws. This guide is available online at:

<https://open.alberta.ca/publications/federal-hours-of-service-rules>

The Canadian Council of Motor Transport Administrators (CCMTA) has also developed an interpretation guide which is available online at: <https://ccmta.ca/en/publications/national-safety-code/standards/item/nsc-standard-9>

Both of these documents have been used in the development of this module.

GENERAL EXEMPTIONS

The federal regulations **do not apply to the following vehicles:**

- A 2- or 3-axle vehicle being used for the transportation of primary products of a farm, forest, sea or lake, where the driver or the motor carrier is the producer of those primary products, **OR** a return trip after transporting the primary products of a farm, forest, sea or lake, if the vehicle is empty or is transporting products used in the principle operation of a farm, forest, sea or lake;
- An *emergency vehicle* (as defined in the regulations); or
- A vehicle that is engaged in providing relief in the case of a public welfare emergency, as defined in Section 5 of the *Emergencies Act*.



Emergency Conditions Exemption

Federal hours of service limitations may be extended for a driver who requires more driving time in an emergency. This allows the driver to reach the first destination that provides safety for the occupants of the commercial vehicle and for other users of the road or the security of the commercial vehicle and its load.

The driver must stop at the *first place of safety*. A driver who uses this exemption must write that they have done so in the “remarks” section of their daily log.



Adverse Driving Conditions

A driver who encounters adverse driving conditions may extend the permitted 13 hours of driving time and reduce the 2 hours of daily off-duty time by the amount of time needed to complete the trip if:

- The driving, on-duty and elapsed time in the elected cycle are not extended more than 2 hours;
- The driver still takes the required 8 consecutive hours of off-duty time;
- The trip could have been completed under normal driving conditions without the reduction;
- The adverse driving conditions were not known or could not have been reasonably known by a driver or carrier before the driver began driving.

Adverse driving conditions are defined as snow, sleet, fog, or other adverse weather or road conditions.



DRIVER DUTIES

The duties performed by a driver can be classified into four categories or “Duty Statuses.” These duty statuses are:



In the federal drivers’ hours of service regulations, “**on-duty time**” means the period that begins when a driver begins work or is required by the motor carrier to be available to work. This period ends when the driver stops working. On-duty time includes driving time and time spent by the driver:

- a) Inspecting, servicing, repairing, conditioning fueling or starting a commercial vehicle;
- b) Travelling in a commercial vehicle as a co-driver, when the time is not spent in the sleeper berth;
- c) Participating in the loading or unloading of a commercial vehicle;
- d) Inspecting or checking the load of a commercial vehicle;
- e) Waiting before and while a commercial vehicle is serviced, loaded, unloaded or dispatched;
- f) Waiting before and while a commercial vehicle or its load is inspected and the driver requirements are assessed, and, if relevant, the time spent taking the required remedial actions;
- g) Waiting at an en-route point because of a collision or other unplanned occurrence or situation;
- h) Resting in or occupying a commercial vehicle for any other purpose except;
 - a. Time spent travelling as an off-duty passenger;
 - b. Time spent in a sleeper berth;
 - c. Time spent in a stationary commercial vehicle to satisfy off-duty time requirements
- i) Performing any work for any motor carrier; or
- j) Performing yard moves of a commercial vehicle within a terminal, depot or port and that is not on a public road;

Does not include driving time for the driver's personal use, if

- a. The vehicle is not used in the course of the business of the motor carrier;
- b. The vehicle has been unloaded;
- c. Any trailers have been unhitched;
- d. The distance travelled does not exceed 75 km in a day;
- e. The driver had recorded in the record of duty status the odometer reading at the beginning and at the end of the personal use; and
- f. The driver is not the subject of an out-of-service declaration under Section 91.

“Off-duty time” means any period other than on-duty time and includes **“sleeper berth time.”** The requirements of these duty statuses as well as the **“driving time”** limitations will be described in more detail later in this module.

LOG BOOKS

Carriers must ensure their drivers maintain accurate records of their duty status times for each calendar day. These times must be recorded in a log book or on a radius record (when all criteria are met for the 160 kilometer radius record exemption).



These records must be kept so that a carrier may ensure a driver does not exceed the specified hour limitations. Carriers and drivers can obtain blank daily log books from truck stops, stationary stores or printing companies.

According to Section 82 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), each daily log is required to contain the following information:

At the start of a day, a driver must record:

- Date
- Start time of driver's day (if other than midnight - using the local time at the driver's home terminal)
- The name and addresses of the driver's home terminal and principal place of business
- Name of the driver (and co-driver if applicable)
- The cycle the driver is following
- The vehicle's unit or licence plate number
- The odometer reading of the vehicle
- In the "Remarks" section, the driver must indicate whether the deferral exemption was used, and whether the driver is on Day 1 or 2 if it was used

During the day, a driver must record:

- In the "Remarks" section, the driver must indicate:
 - The name of the location where each change of duty occurred;
 - Whether the driver used any exemptions that allowed them to exceed the maximum driving limitations (emergency or adverse driving conditions).

At the end of a day, a driver must record:

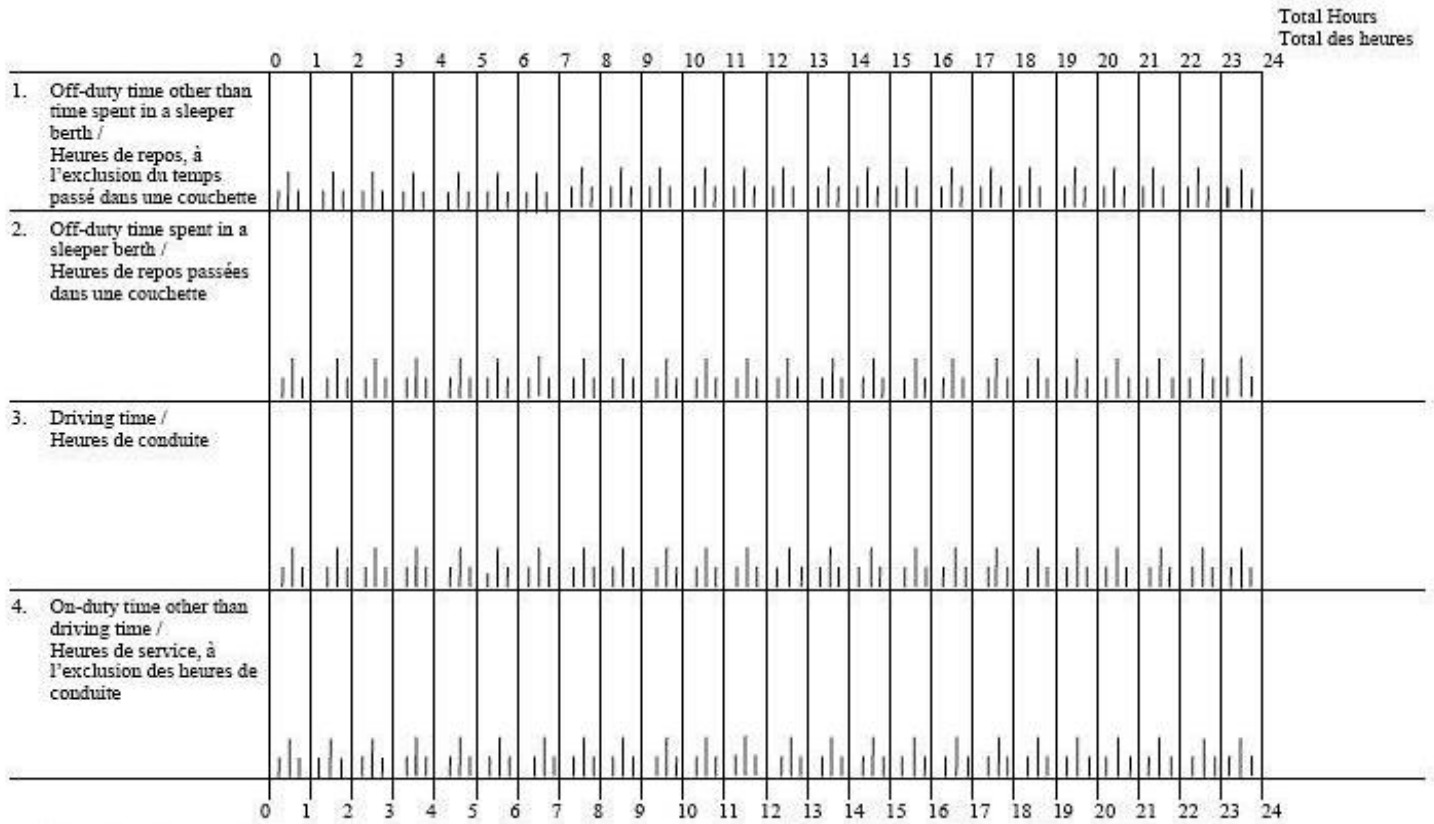
- The driver's signature (and co-driver if applicable)
- The total distance driven that day
- The total hours for each duty status that day
- The odometer reading of the vehicle

Daily Logs - Graph Grids

Log book data must be completed on a graph grid so that each piece of required information may be recorded accurately. The grid is filled out in a way that ensures all of the driver's hours are accounted for in each of the four duty statuses.

SCHEDULE 2 (Section 1 and subsection 82(2))

DUTY STATUS



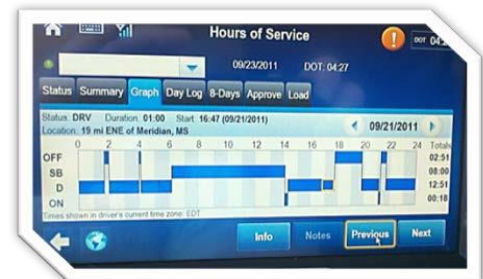
INSTRUCTIONS FOR FILLING IN A LOG GRID

- (a) For each duty status,
 - i. Mark the beginning time and the end time, and
 - ii. Draw a continuous line between the time markers;
- (b) Record the name of the municipality or give the location on a highway or in a legal sub-division and the name of the province or state where a change in duty status occurs;
- (c) If the driver is engaged in making deliveries in a municipality that result in a number of periods of driving time being interrupted by a number of short periods of other on-duty time, the periods of driving time may be combined and the periods of other on-duty time may be combined; and
- (d) Enter on the right of the grid the total number of hours of each period of duty status, which total must equal 24 hours.

Note: When recording the location where a change in duty status occurs, drivers must write out the full name of that location. Only province or state names may be abbreviated.

Onboard Recording Devices

A driver is permitted to use an electronic onboard recording device instead of filling out a log book. The device must still provide all of the required information found in Section 82 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313).



An onboard recording device must also be capable of displaying:

- The driving times and other on-duty times for each day when the device is used;
- The total on-duty time remaining and the total on-duty time accumulated in the cycle being followed by the driver;
- The changes in duty status and the time at which each change occurred for each day on which the device is used;
- The times and dates on which the device has been disconnected and reconnected.

At the request of a peace officer, a driver must be able to immediately provide the required information for the previous 14 days by producing it on the screen of the electronic onboard recording device, in handwritten form, on a print-out or any combination of these.

This means that drivers must have blank daily log forms in the commercial vehicle. Any printed copy of the daily log that is generated from the information stored in the device must be signed on each page by the

driver to confirm its accuracy. This section will change on June 12, 2021. At that time, Electronic Logging Devices (ELD) will be required. An accredited person or body must certify ELD as per sections 77 through 79 and 83 of the *Commercial Vehicle Drivers Hours of Service Regulations SOR/2005-313*.

Possession of Daily Logs and Supporting Documents

Drivers must prepare a daily log for each day that they are employed by a motor carrier, including days which are spent off-duty (such as weekends). Drivers who have been off-duty for several days may record their daily log information for multiple consecutive off-duty days on a single log book page as long as:

- The log page is fully completed with all required information;
- The information on the log is readable and accurate;
- The days referenced as off-duty are consecutive dates;
- The log page does not include information for a day that shows any duty status other than “off duty time other than time spent in a sleeper berth”.

The following is an example of how a driver would fill out a log for multiple off-duty days:

MOTOR VEHICLE OPERATOR'S DAILY LOG		Date: <u>Jan. 5 - 6, 2008</u>	
Motor Carrier: <u>ABC Transportation Inc.</u>		Odometer Finish	
Principal Place of Business: <u>1 Bay St Calgary, AB T8K 9X3</u>		Odometer Start	
Home Terminal Address: <u>1 Bay St Calgary, AB T8K 9X3</u>		Cycle 1 (7 days) <input checked="" type="checkbox"/>	Cycle 2 (14 days)
		Total Distance Driven Today <u>0</u> km	

	Use Time Standard at Home Terminal																								Total Hours	
	HOUR AT WHICH DAY BEGINS (Midnight)																									
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Off-duty time other than in sleeper berth	[Vertical lines from 0 to 24]																								<u>24</u>	
Off-duty time in sleeper berth	[Vertical lines from 0 to 24]																								<u>0</u>	
Driving time	[Vertical lines from 0 to 24]																								<u>0</u>	
On-duty time other than driving time	[Vertical lines from 0 to 24]																								<u>0</u>	
	Total																								<u>24</u>	

REMARKS

DAILY DEFERRAL USED: Day 1 Day 2

Other Motor Carrier (Name & Address)	PERSONAL USE OF COMMERCIAL VEHICLE
	Start Odometer
	End Odometer

Name of Co-Driver _____

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

Bill Driver
Printed Name of Driver

Bill Driver
Signature of Driver (Certified True & Correct)

A driver is required to submit each completed log to the carrier within 20 days of being produced. The carrier must, within 30 days of receiving the original copy of a daily log, retain that copy of the log at their principal place of business. All original log book records must be kept by the carrier for at least 6 months from the date the information was recorded.

When requested by a peace officer, a driver must produce their logs and supporting documentation without delay. Supporting documentation may include things such as:

- Trip inspection reports;
- Bills of lading;
- Other shipping documents;
- Fuel receipts;
- Lodging receipts;
- Other expenses.



All relevant expense receipts should be kept, regardless of whether the driver or carrier paid for such things as meals and lodging.

Radius Record Exemption

A driver may be exempt from filling out daily logs if they are eligible for the 160 kilometer radius exemption. This exemption applies **ONLY** to record keeping requirements. **ALL** other requirements of the regulations must still be met.

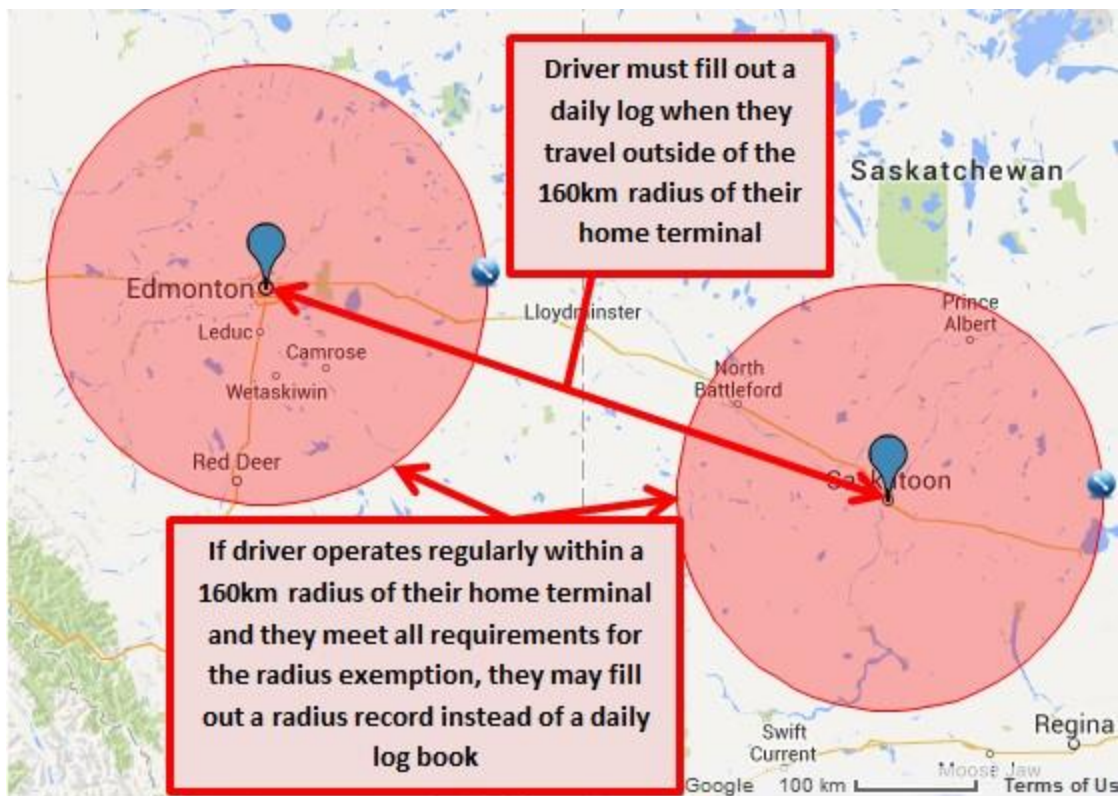
To qualify for this exemption, a carrier must meet the following requirements:

- The driver operates within a 160 kilometer radius of their home terminal;
- The driver returns to their home terminal each day to begin a minimum of 8 consecutive hours of off-duty time;
- The motor carrier that employs the driver maintains accurate and legible time records showing, for each calendar day, the cycle the driver followed and on-duty times and keeps those records and supporting documents relating to those records for a minimum period of six months after the day on which they were recorded; and
- The driver is not driving a commercial vehicle under a permit issued under these regulations or is driving under an exemption issued under the *Act*.

Driver's Home Terminal

“Home terminal” means the place of business of a motor carrier where a driver usually reports for work. This includes a temporary work site designated by the motor carrier.

For example, if a driver normally reports to a terminal in Edmonton, then Edmonton is their home terminal. If that same driver makes a trip out to Saskatoon and reports to a terminal there for several days or weeks, then that may temporarily be their home terminal until they return to Edmonton. They would, however, be required to fill out a daily log for each trip between Edmonton and Saskatoon.



When a driver is not required to keep a daily log, they must (as noted above) still maintain time records showing, for each calendar day, the driver's on-duty times. A sample of what a 160 kilometer radius record may look like is on the next page.

160 Kilometer Radius Record					
Driver's Name:					
Date	Cycle	Start Time	End Time	Total Hours	Remarks

SAMPLE 160 Kilometer Radius Record					
Driver's Name: Bill Driver					
Date	Cycle	Start Time	End Time	Total Hours	Remarks
2020/01/07	1	06:00	12:00	6	Jan 07- 11 hrs
2020/01/07	1	13:00	18:00	5	
2020/01/08	1	08:00	18:00	10	

Note: Other formats for a radius record can be used provided they contain at least the minimum required information. Specified in Sec 81(2) *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313).

Tampering

It is against the law to tamper with a daily log. Tampering with the daily log includes any of the following activities:

- Driver keeps more than one daily log for any day;
- Driver records inaccurate information in a daily log, whether it is handwritten or produced using an electronic device;
- Anyone falsifies, mutilates destroys or defaces a daily log or supporting documents; or
- Safety officer or any other individual alters or destroys original daily logs.

According to Section 86(2) of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), a carrier is responsible for ensuring their drivers do not falsify their logs. More information about how to monitor drivers' logs is available later in this module.

Daily logs must be signed at the end of each day to confirm that all of the information recorded is accurate. If a log contains inaccurate information, a Peace Officer can still charge a driver with a violation even if the driver has not signed the daily log. They may also issue an out-of-service declaration for any of the violations listed above.



FEDERAL DRIVING LIMITATIONS

There are types of limitations that apply to a driver’s time: daily limits, work shift limits; and cycle limits. It is a driver’s responsibility to comply with all 3 limitations at all times. It is important that all carriers are aware of these limitations. Fatigued drivers pose a great risk to themselves and all motorists around them and must not operate a commercial vehicle in such a state.

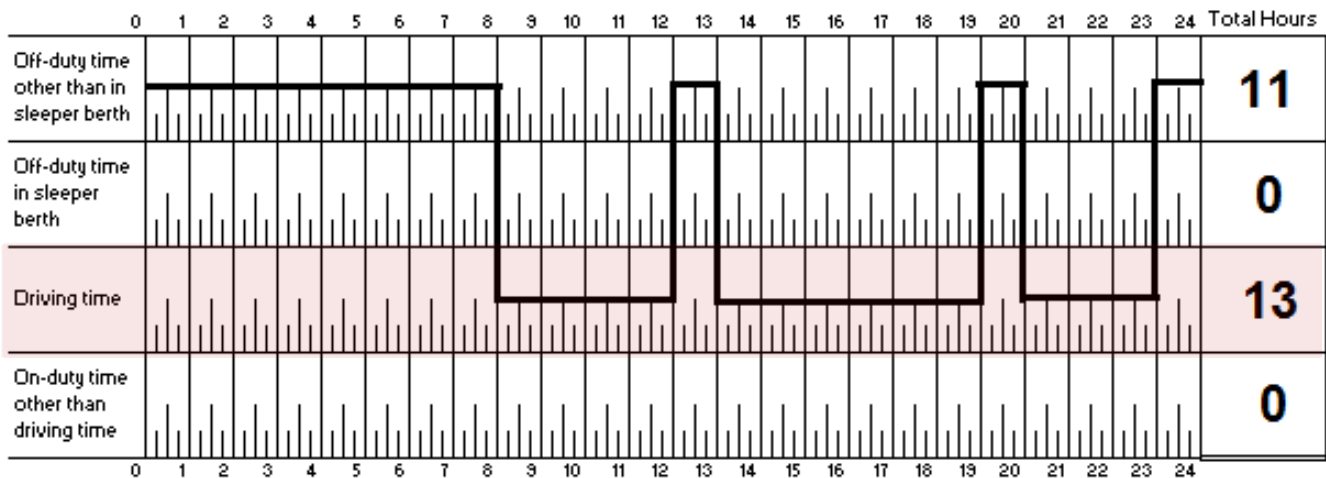
1. Daily Limits

A “day” is a 24-hour period that begins at the hour designated by the carrier for the duration of the driver’s cycle. For example, one driver’s day might start at midnight while another driver’s day might start at 2:00am. The driver needs to record the hour at which the day begins on their log book page (for example, midnight or 2:00 am).

According to the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), rules that apply to a driver’s day include:

The 13-Hour Driving Time in a "Day" Rule

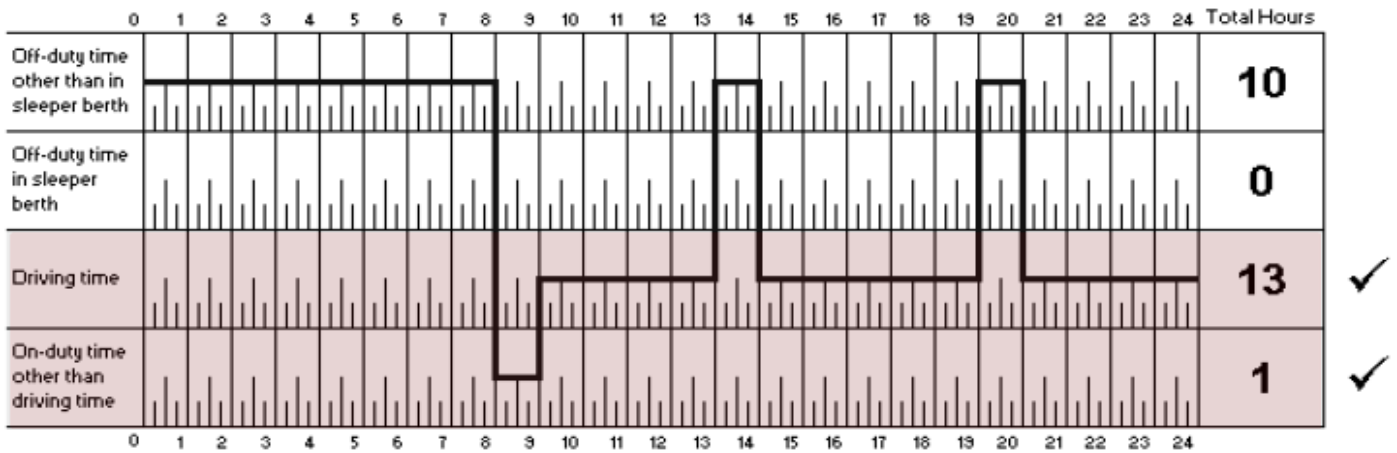
According to Section 12, a driver may not drive a commercial vehicle after they have already driven 13 hours in a day.





The 14-Hour On-Duty Time in a "Day" Rule

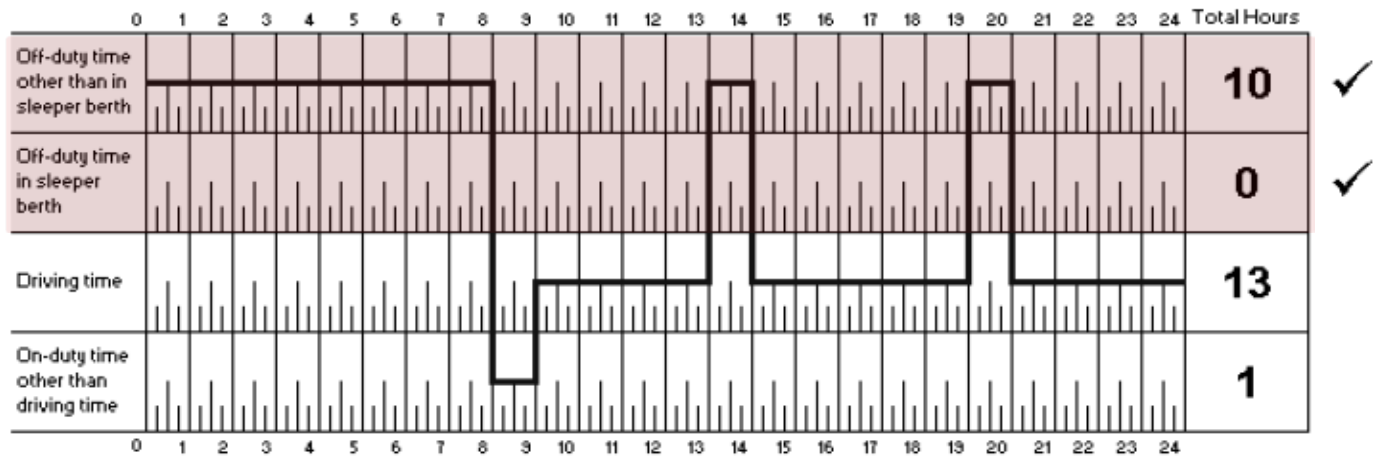
According to Section 12, a driver must not drive a commercial vehicle if they have accumulated 14 hours of on-duty time in a day.



The 10-Hours Off-Duty in a "Day" Rule

According to Section 14, a driver must take at least 10 hours of off-duty time in a day. This time must include at least 2 hours of off-duty time other than the mandatory 8 consecutive hours of off-duty time. These 2 hours of off-duty time must be taken in blocks greater than or equal to 30 minutes and may be taken in consecutive blocks before or after the 8 mandatory hours of off-duty time.

Any person who is authorized by the carrier to be a driver is considered to be a driver every day. This means they must have at least 10 hours off-duty every day, whether they drive or not. Every driver must fill out a daily log for every day they are employed as an authorized driver, even if that log only displays off-duty time.



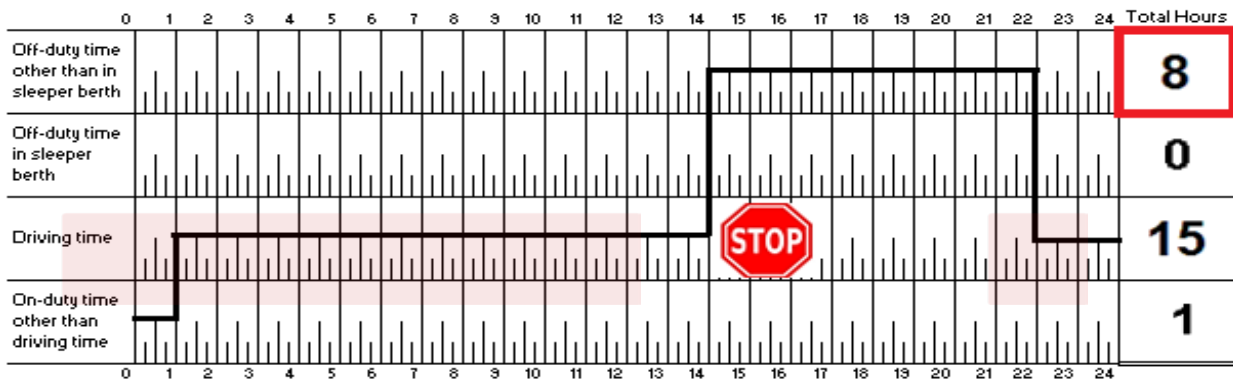


Deferral of Off-Duty Time

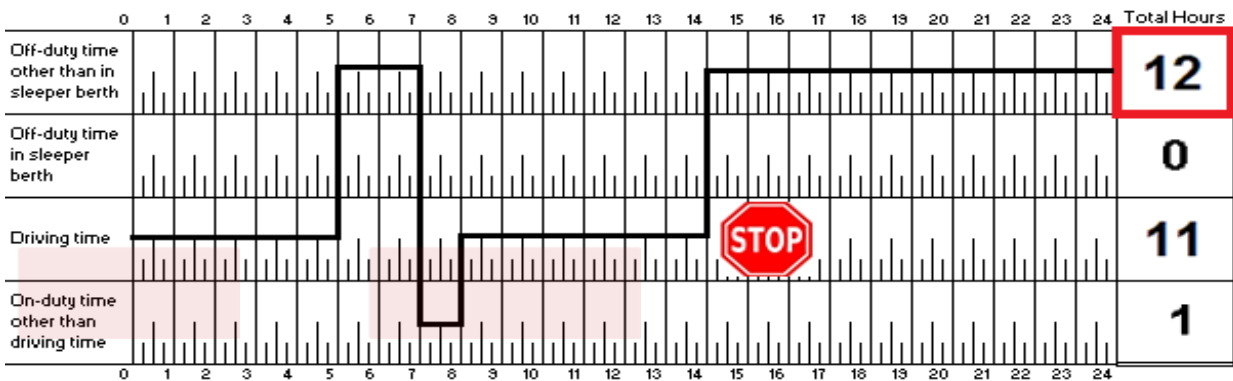
According to Section 16, if a driver is unable to take 10 hours off-duty in a day, the driver can defer up to 2 hours off-duty to the following day. This deferral option can be used every second day as long as all the conditions are met.

To defer daily off-duty time, a driver must meet the following conditions:

- The off-duty time deferred is not part of the mandatory 8 consecutive hours of off-duty time
- The off-duty time deferred is added to the 8 consecutive hours of off-duty time taken in the second day
- The total off-duty time taken in the 2 days is at least 20 hours
- The total driving time in the 2 days does not exceed 26 hours
- The driver declares that they are deferring off-duty time under the "Remarks" section of their logs and clearly indicates whether they are driving under day one or day two of that time



Remarks: Deferral of off-duty time used - Day 1 STOP driving after 13 hours



Remarks: Deferral of off-duty time used - Day 2

2 hours of off-duty time missing on Day #1 gets added to off-duty time on Day #2

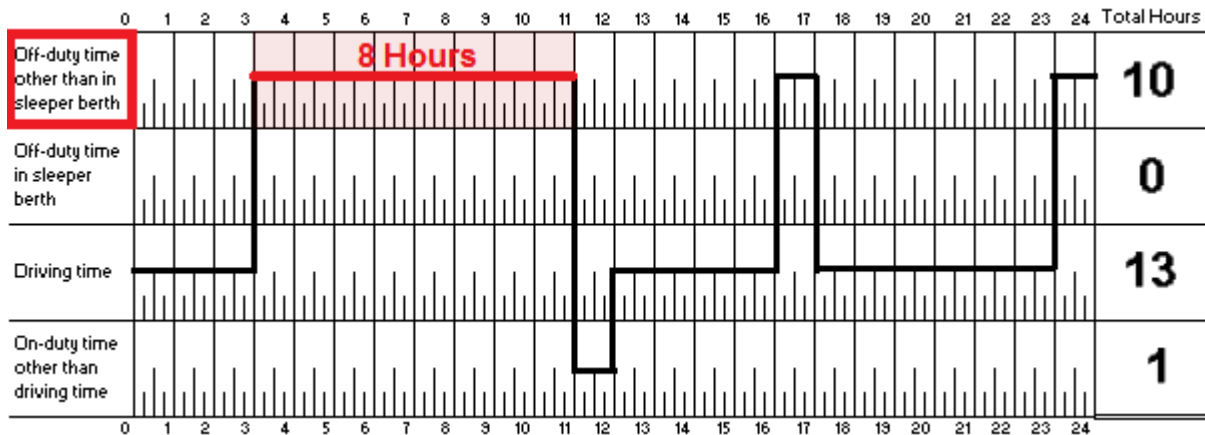
2. Work Shift Limits

A work shift is the period of time that a driver is “on the job”. The work shift begins when a driver performs any activity for a motor carrier and ends when the driver stops for a period of rest that lasts for a minimum of 8 consecutive hours. A work shift can span across more than one calendar day.

According to the *Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)*, rules that apply to a driver’s work shift include:

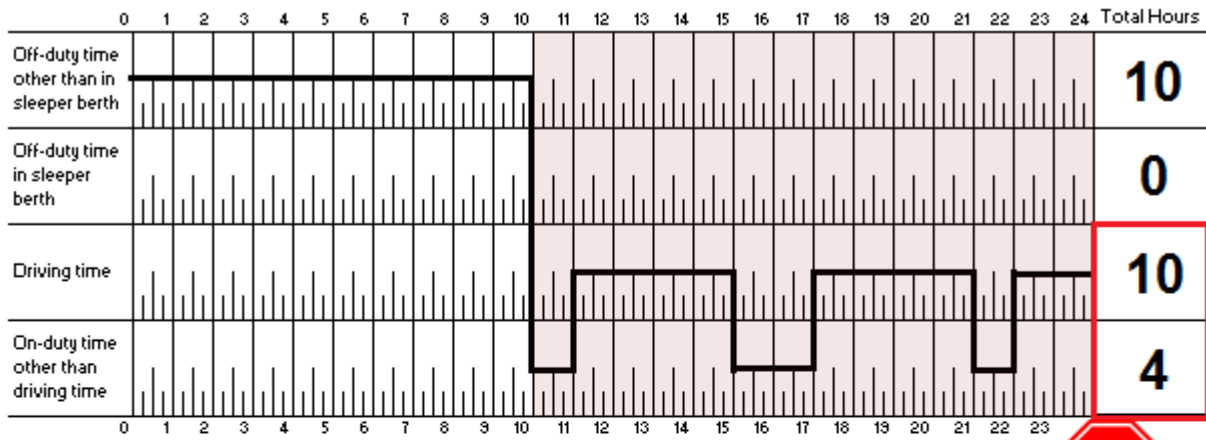
The 13-Hour Driving Time in a Work Shift Rule

According to Section 13, a driver may not drive a commercial vehicle after they have already driven 13 hours in a work shift. They may drive again after they have taken 8 consecutive hours of off-duty time.

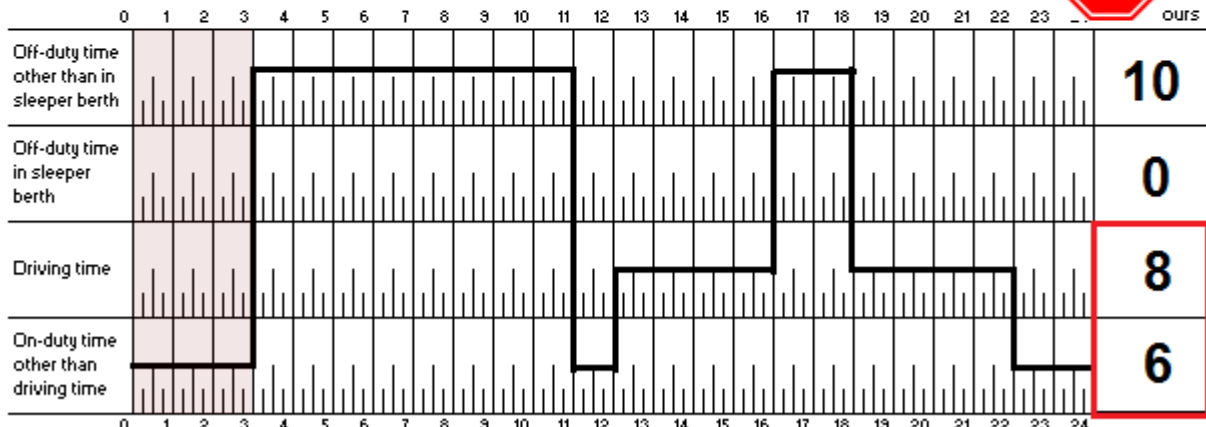


The 14-Hour On-Duty in a Work Shift Rule

According to Section 13, a driver may not drive a commercial vehicle after they have accumulated 14 hours of on-duty time in a work shift.



NO DRIVING after the 14th hour on-duty STOP



STOP

 **The 16-Hour Elapsed Time in a Work Shift Rule**

A driver may not drive a commercial vehicle after 16 hours of time have elapsed since the driver started a work shift. The clock starts ticking at the end of the most recent period of 8 or more consecutive hours of off-duty time.

**STOP DRIVING
AFTER
16 HOURS
ON WORK
SHIFT**



The 8 Consecutive Hours of Rest Rule

A driver must have 8 consecutive hours of off-duty time between work shifts.

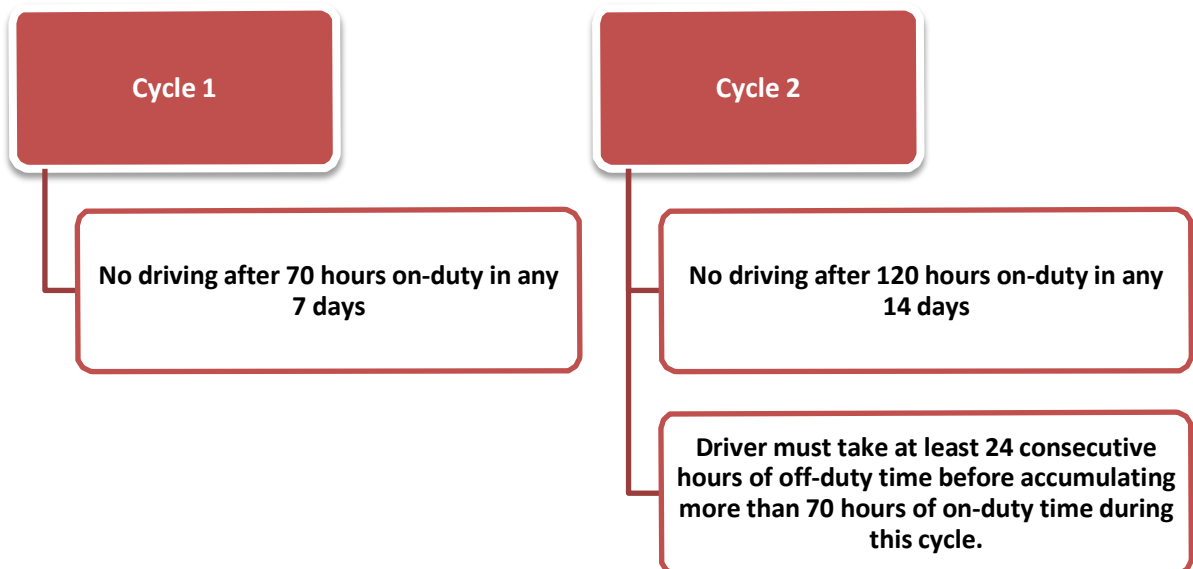


The 8 consecutive hours off-duty required to restart a work shift may be a combination of off-duty and sleeper berth time. A driver may also take the 8 consecutive hours rest in the sleeper berth.

A driver is only in violation of the above work shift rules if the driver is driving after reaching the limits. In certain cases, the driver may work after 13 hours driving, 14 hours on-duty or 16 hours of elapsed time.

3. Driving Cycles

According to Section 24 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), there are two types of driving cycles:



A carrier must ensure that a driver follows either Cycle 1 or Cycle 2. A driver is required to declare which cycle they are following on their daily logs.

If a driver reaches their declared cycle limit, the driver must **stop driving**. The driver then has the choice to either:

- Take the necessary number of hours off-duty to bring them back into compliance with the cycle limits (the cycle period continually slides by adding the current day and subtracting the oldest day of the cycle);
- Reset their cumulative on-duty hours back to “zero” by taking the number of hours off-duty as specified by the cycle they were following.



Cycle Switching and Resetting

Occasionally, carriers and drivers may find that they benefit from using a different cycle. According to Section 29, if a driver wants to switch cycles, they must take the following number of hour’s off-duty:



- Driver must take at least 36 consecutive hours off.



- Driver must take at least 72 consecutive hours off.

A driver is only in violation when *driving* in excess of the cycle cumulative hours specified by law. In Canada, drivers may reset their cycle at any time before they reach their cycle limit.

NOTE

When operating in other jurisdictions (such as in the United States), a driver must recognize and follow the hours of service laws of that jurisdiction. When a driver returns to and drives in Canada, the driver must follow Canada’s hours of service laws.
























Mandatory 24 Hours Off-Duty

According to Section 25, a driver may not drive unless they have taken at least 24 consecutive hours of off-duty time in the preceding 14 days. This rule applies regardless of whether a driver follows Cycle 1 or 2.

A driver is only in violation of the mandatory 24 hours off duty rule if the driver is driving after reaching the 14 day limit. The driver may continue to work without having a 24 hour period of off-duty time in the preceding 14 days as long as that work does not involve driving a commercial vehicle.

In the following example, the driver is on-duty for 14 days (to third Sunday) but does not reach either the Cycle 1 or Cycle 2 limit. The driver must take 24 consecutive hours of off-duty time before the driver may drive again.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 24 hours off-duty	 On-duty	 On-duty	 On-duty	 On-duty	 On-duty	 On-duty
 On-duty	 On-duty	 On-duty	 On-duty	 On-duty	 On-duty	 On-duty
 On-duty	 24 hours off-duty	 On-duty	 On-duty	 On-duty	 On-duty	 On-duty



Off-Duty Drivers

Off-duty drivers must continue to maintain a daily log or a radius record long as they are employed as a driver for a carrier. As noted earlier in this module, if a driver has been off-duty for several days, they may record their daily log information for multiple off-duty days on a single log book page provided that:

- The log page is fully completed with all of the required information in Section 82 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313);
- The information on the log is legible and accurate;
- The days referenced as off duty are consecutive;
- The log page does not include information for a day that shows any duty status other than “off duty time or time spent in a sleeper berth” (Note: the days off can’t be shown in the remarks section of a log completed on the first day the driver is back on duty).

MOTOR VEHICLE OPERATOR'S DAILY LOG			Date: <i>Jan. 5 - 6, 2008</i>
Motor Carrier: <i>ABC Transportation Inc.</i>		Odometer Finish	
Principal Place of Business: <i>1 Bay St Calgary, AB T8K 9X3</i>	Vehicle Plate or Unit #	Odometer Start	
Home Terminal Address: <i>1 Bay St Calgary, AB T8K 9X3</i>	Cycle 1 (7 days) <input checked="" type="checkbox"/>	Cycle 2 (14 days)	Total Distance Driven Today <i>0</i> km

	HOUR AT WHICH DAY BEGINS (Midnight)																								Total Hours
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Off-duty time other than in sleeper berth	-----																								<i>24</i>
Off-duty time in sleeper berth	-----																								<i>0</i>
Driving time	-----																								<i>0</i>
On-duty time other than driving time	-----																								<i>0</i>
																									<u><u><i>24</i></u></u>

REMARKS

DAILY DEFERRAL USED: Day 1 Day 2

Other Motor Carrier (Name & Address)

PERSONAL USE OF COMMERCIAL VEHICLE	
Start Odometer	End Odometer

Name of Co-Driver

Bill Driver

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

Printed Name of Driver

Bill Driver

Signature of Driver (Certified True & Correct)

SLEEPER BERTHS



If a commercial vehicle has an approved sleeper berth, a driver can stop and rest whenever they are tired or during any extended period of waiting. An approved sleeper berth is one that meets all of the requirements found in Schedule 1 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313). The requirements for sleeper berths have been included in Appendix 1 of this module.

A driver records any time spent resting in a sleeper berth as “Off-Duty Time in a Sleeper Berth” on their daily log. A driver can use a sleeper berth to split the required 8 consecutive off-duty hours into 2 periods while still complying with the daily off-duty requirements.

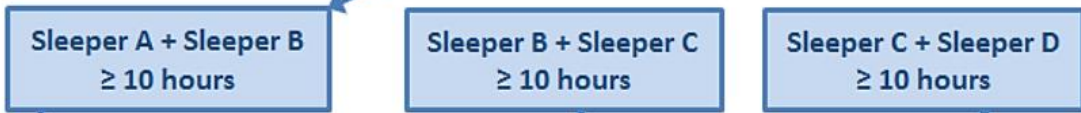
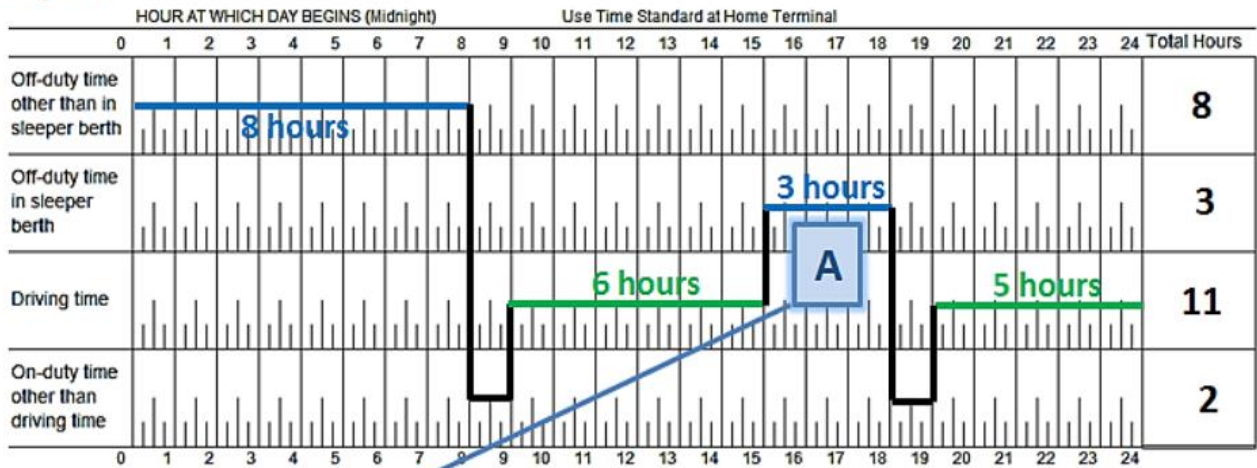
Single Drivers

According to Section 18 of the federal regulations, a driver can split the required 10 hours of daily off-duty time into 2 sleeper berth periods if:

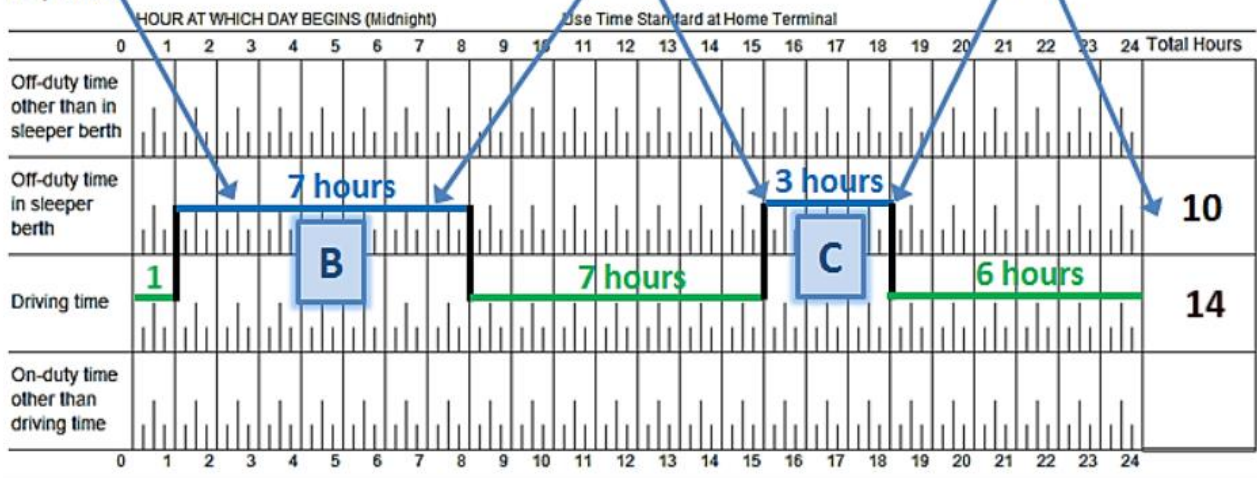
- Neither period is less than 2 hours;
- The total of the 2 sleeper periods is at least 10 hours;
- The off-duty time is spent resting in the sleeper berth and the sleeper berth complies with schedule 1;
- The total on-duty time before and after each sleeper period does not include any driving time after the 14th hour,
- The total of the driving time in the periods immediately before and after each of the periods of off-duty time does not exceed 13 hours;
- The elapsed time before and after each sleeper period does not include any driving time after the 16th hour after the driver comes on-duty; or
- None of the daily off-duty time is deferred to the next day.

Example of an Acceptable Use of a Sleeper Berth:

Day One:



Day Two:



- ✓ Stop driving after 13 hours driving time in a day;
- ✓ Stop driving after 14 hours on-duty time in a day;
- ✓ At least 10 hours off-duty in a day and none of the off-duty time is deferred to the next day;
- ✓ Stop driving after 13 hours driving time before and after each eligible sleeper berth period;
- ✓ Stop driving after 14 hours on-duty time before and after each eligible sleeper berth period; and
- ✓ Stop driving after 16 hours of elapsed time in a work shift.

Note: When calculating the 16th hour of elapsed time in a split sleeper, any period in the sleeper berth that is greater than 2 hours and adds to 10 with any subsequent period is not calculated in the elapsed time.

Team Drivers

According to Section 19 of the federal regulations, team drivers can split the required 10 hours of daily off-duty time into 2 sleeper berth periods if:

- Neither period is less than 4 hours;
- The total of the 2 sleeper periods is at least 8 hours;
- The off-duty time is spent resting in the sleeper berth and the sleeper berth complies with schedule 1;
- The total driving time before and after each sleeper period does not exceed 13 hours;
- The total of the on-duty time before and after each sleeper period does not include any driving time after the 14th hour;
- The elapsed time before and after each sleeper period does not include any driving time after the 16th hour after the driver comes on-duty;
- None of the daily off-duty time is deferred to the next day; and
- Co-drivers have the freedom to split the 10 hours of daily off-duty time in any way that the drivers want as long as each sleeper berth period is at least 4 hours and the total for 2 sleeper berth periods equals at least 8 hours.

Team drivers must maintain their own daily logs and must meet the daily and work shift limits on their own. When one driver is driving, the other must be resting in the sleeper berth.

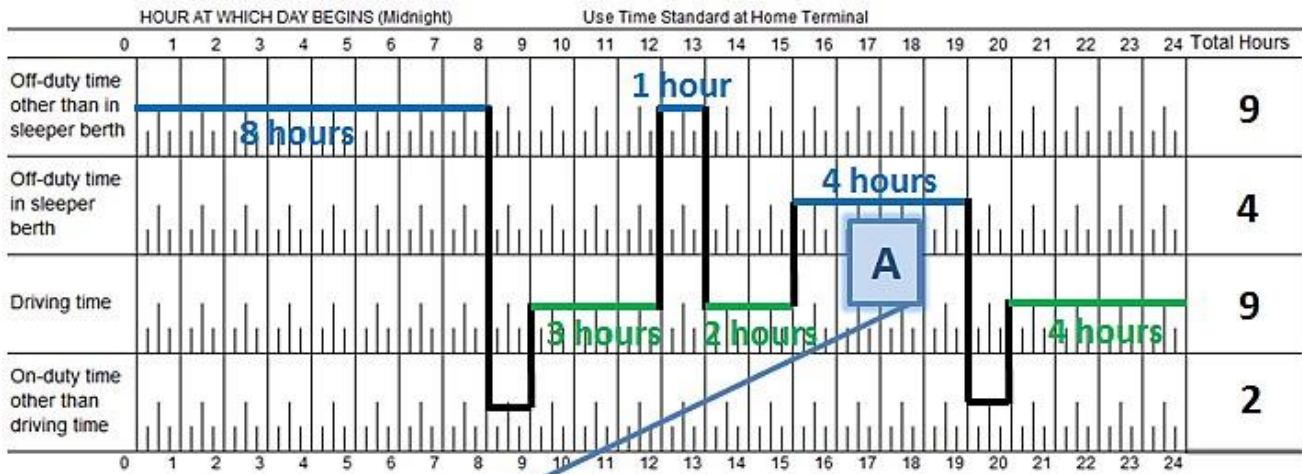
Only time spent in the sleeper berth counts towards the sleeper berth period. This means that any other off-duty time, such as sitting in the passenger seat, does not count towards the sleeper berth period.

Note

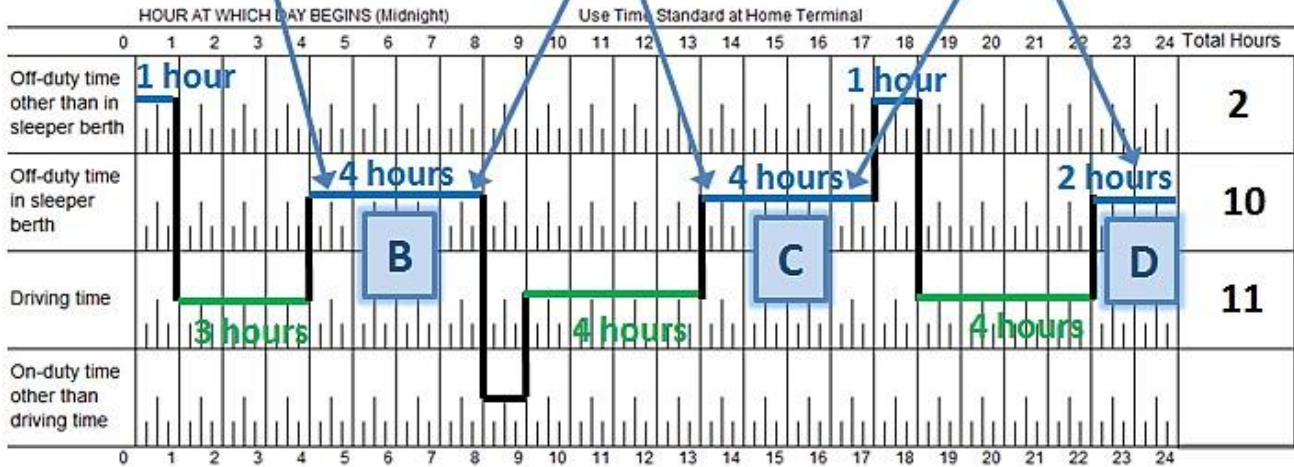
Because the eligible sleeper berth periods for team drivers only require a total of 8 hours of sleeper berth time, each team driver must take an extra 2 hours of off-duty time each day to meet the daily 10-hour requirement. This time may or may not be taken consecutively with the sleeper berth time.

Example of an Acceptable Use of a Sleeper Berth:

Day One:



Day Two:



- ✓ Stop driving after 13 hours driving time in a day;
- ✓ Stop driving after 14 hours on-duty time in a day;
- ✓ At least 10 hours off-duty in a day and none of the off-duty time is deferred to the next day;
- ✓ Each sleeper berth period is at least 4 hours;
- ✓ The total for 2 sleeper periods is at least 8 hours;
- ✓ Stop driving after 13 hours driving time before and after each eligible sleeper berth period;
- ✓ Stop driving after 14 hours on-duty time before and after each eligible sleeper berth period; and
- ✓ Stop driving after 16 hours of elapsed time in a work shift.

INTERNAL MONITORING



Internal Monitoring

According to Section 87 of the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313), carriers must ensure their drivers are following hours of service laws. They must:

- Evaluate all drivers to ensure they are complying with the regulations;
- Record the date(s) in which any violation(s) occurred;
- Record the date of issuance to the driver of a notice of non-compliance;
- Record any actions taken with the driver.



Monitoring activities involve the review of driver logbooks, supporting documents (such as fuel and lodging receipts) and any other relevant information. Carriers must document their findings to support any corrective or disciplinary action taken against a non-compliant driver. It is recommended that carriers check their driver's logs as frequently as possible. Carriers should consider reviewing their driver's logs on a monthly basis. The number of drivers and logs checked by a carrier every month may vary according to the size of the company. A small company may choose to monitor all drivers' logs every month, while a large company may choose only to monitor a portion of their drivers each month. Although a carrier has the option to monitor a percentage of their drivers each month, every driver should be checked at least once each year.

The objective of internal monitoring is to ensure all drivers become fully compliant every day – not just to document each driver's performance. It is recommended that carriers closely monitor new drivers or drivers with a history of non-compliance until they can demonstrate that they understand and are able to comply with the *Commercial Vehicle Drivers Hours of Service Regulations*.

More information about how to monitor logs is available online at: <https://www.alberta.ca/reference-guide-for-hours-of-service-training-development.aspx>

PERMITS

Some carriers need drivers to work for longer periods of time than the federal hours of service limits allow. For example, a carrier may need to reduce off-duty time or increase driving time to do the following:

- Allow a driver following a regular itinerary to reach the driver's destination or home terminal;
- Deliver perishable goods;
- Accommodate a significant temporary increase in the transportation of passengers or goods by the motor carrier.



In these situations, a carrier may apply for a permit to increase the driving time and/or on-duty time available to a driver.

It is also recognized that oil well service vehicles work in a challenging environment. Drivers may need to work for longer periods than the existing cycles allow.



Policy – Oil Well Service Vehicle Cycle Exemption Permit



Section 63 of the federal *Commercial Vehicle Drivers Hours of Service Regulation*, (SOR/205-313) allows for a permit to be issued exempting qualified carriers from the cycle requirements provided a motor carrier satisfies certain criteria. To qualify for this permit exemption, Alberta has identified that a motor carrier must meet the regulatory definition of an oil well service vehicle and the department's policies in this area. These policies have been summarized below as to which services do and don't qualify for the permit.

The intent of this exemption is to allow a transportation service to be provided directly to or from a well head. The exemption does not apply when traveling between any two locations that do not include a well head site.

Applicants are not guaranteed to obtain any permit. A carrier's eligibility to obtain a permit may depend on things such as the carrier's Safety Fitness Rating and any results that may come out of an audit or a permit inspection. Once a carrier has been issued a permit, they will be required to follow all of the conditions attached to that permit. It is of utmost importance that a carrier follows all conditions to ensure that they do not pose a risk to the public or to their employees while they operate.

More information on permits is available on the Alberta Transportation website at:

www.alberta.ca/compliance-permits-and-review-process-commercial-carriers.aspx

ENFORCEMENT AND PENALTIES

Disciplinary Action and Enforcement

Carriers will be subject to disciplinary action if they allow a driver to drive in the following situations:

- The driver's faculties are impaired to the point where it is unsafe for the driver to drive;
- Driving would jeopardize the safety or health of the public, the driver or the employees of the motor carrier;
- The driver is subject to an Out-of-Service declaration; or
- The driver, in doing so, would not be in compliance with these regulations.



Hours of service violations are included in the carrier's

Profile. An accumulation of these violations may result in the carrier being identified for further monitoring and further enforcement actions.

Hours of service violations will also be shown on the driver's commercial driver abstract (CDA). More information on the CDA can be found on the Alberta Transportation website at: www.alberta.ca/commercial-driver-abstract.aspx

Out of Service Declarations

A peace officer can issue tickets to drivers on the road who cannot produce hours of service records. They may also place drivers Out of Service for up to 72 hours. Drivers who have exceeded the hours of service limitations may be forbidden from driving by a peace officer until they have enough hours available to start driving again. A driver may also be subject to administrative penalties for not following hours of service laws.

A carrier may lose hours of service permit privileges if they are found to be non-compliant with the regulations or the permit conditions.

FATIGUE MANAGEMENT

Driver fatigue is a critical safety issue that affects the transportation industry and increases the risk of collisions, which in turn impacts the safety of the motoring public. Fatigue impacts driver attention and alertness and, as a result, increases instances of human error. It is estimated that 20 percent of fatal collisions can be linked to driver fatigue as a contributing factor (Canadian Council of Motor Transport Administrators, 2010).



It is recommended that all carriers create a fatigue management program. This program can be used to address issues related to fatigue in the workplace while reducing risks related to fatigue and decreasing the number of fatigue-related incidents. Every carrier can benefit from having a fatigue management program, regardless of the size or type of business. Fatigue management policies should be a part of a company's journey management. Planning the journey ensures that employees are better prepared to safely handle unplanned events or circumstances during trips. With journey management processes in place, potential risks can be better identified prior to the trip, and proactive measures can be taken to help manage or prevent the risks from happening during the trip.

North American Fatigue Management Program

The North American Fatigue Management Program (NAFMP) was created to reduce incidents related to driver fatigue by providing:

- Information on how to develop a corporate culture that helps reduce driver fatigue;
- Fatigue management education for drivers, drivers' families, carrier executives and managers, shippers/receivers, and dispatchers;
- Information on sleep disorders, screening and treatment;
- Driver and trip scheduling information; and
- Information on Fatigue Management Technologies.



Carriers are encouraged to take part in this program. Carriers, owner/operators, managers, drivers and dispatchers may all find material presented by the NAFMP to be very helpful and may more effectively contribute to the prevention of motor vehicle incidents caused by fatigue as a result of their understanding. More information of the NAFMP is available at: <http://www.nafmp.com/>

RESOURCES FOR CARRIERS

For a better understanding as to how federal hours of service regulations affect their operations, carriers may wish to refer to these online resources for more information.

Resource	Web Link
Alberta Reference Guide for Federal Hours of Service Training	www.alberta.ca/reference-guide-for-hours-of-service-training-development.aspx
<i>Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)</i>	lawslois.justice.gc.ca/eng/regulations/SOR-2005-313/
CCMTA Publications	www.ccmta.ca/en/news-resources/resources/reports
North American Fatigue Management Program	https://www.nafmp.com/

MODULE 7 APPENDICES



Appendix 1

Schedule 1: Sleeper Berth Specifications
Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)

APPENDIX 1: SLEEPER BERTH SPECIFICATIONS

SLEEPER BERTHS

1. An area of a commercial vehicle is a sleeper berth if
 - (a) It is designed to be used as sleeping accommodation;
 - (b) It is located in the cab of the commercial vehicle or immediately adjacent to the cab and is securely fixed to it;
 - (c) It is not located in or on a semi-trailer or a full trailer;
 - (d) If it is located in the cargo space, it is securely compartmentalized from the remainder of the cargo space;
 - (e) In the case of a bus,
 - i. it is located in the passenger compartment,
 - ii. it is at least 1.9 m in length, 60 cm in width and 60 cm in height,
 - iii. it is separated from the passenger area by a solid physical barrier that is equipped with a door that can be locked,
 - iv. it provides privacy for the occupant, and
 - v. it is equipped with a means to significantly limit the amount of light entering the area;
 - (f) in the case of a commercial vehicle other than a bus, it is rectangular in shape with at least the following dimensions:
 - i. 1.9 m in length, measured on the center line of the longitudinal axis,
 - ii. 60 cm in width, measured on the center line of the transverse axis,
 - iii. 60 cm in height, measured from the sleeping mattress to the highest point of the area;
 - (g) It is constructed so that there are no impediments to ready entrance to or exit from the area;
 - (h) There is a direct and readily accessible means of passing from it into the driver's seat or compartment;
 - (i) It is protected against leaks and overheating from the vehicle's exhaust system;
 - (j) It is equipped to provide heating, cooling and ventilation within the range of household temperatures;
 - (k) It is sealed against dust and rain;
 - (l) It is equipped with a mattress that is at least 10 cm thick;
 - (m) It is equipped with a means of preventing ejection of the occupant during deceleration of the commercial vehicle, the means being designed, installed and maintained to withstand a total force of 2,700 kg applied toward the front of the vehicle and parallel to the longitudinal axis of the vehicle.

