

COMMERCIAL TRANSPORTATION SAFETY AND COMPLIANCE

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Alberta Municipal Supervisors Association (AMSA) Convention



Introduction



Carrier Services is responsible for the coordination and delivery of the National Safety Code (NSC) Standards for over 26,000 bus and truck carriers in Alberta. Specifically, responsibilities include:

- the issuance of Safety Fitness Certificates, Operating Authority Certificates, and safety permits;
- conducting audits and compliance investigations;
- monitoring and intervening with carriers who pose an unacceptable risk to the motoring public;
- promoting awareness of the safe operation of commercial vehicles as a means of reducing collisions.

Alberta uses the NSC Standards as guidelines for developing transportation safety legislation, while balancing industry needs with highway safety and regulatory compliance.

National Safety Code Program

Alberta's National Safety Code Program applies to carriers operating:

- Commercial trucks registered for a weight of more than 4,500 kilograms that operate both within and outside of Alberta;
- Commercial trucks registered for a weight of 11,794 kilograms or more that operate only within Alberta; and
- Commercial buses with a seating capacity originally designed for 11 persons or more, including the driver.



Alberta's NSC Carriers

Jurisdiction	Type	Trucks	Buses	Totals
Federal	Carriers	8,491	321	8,812
	Vehicles	77,013	2,821	79,834
Provincial	Carriers	15,501	1,465	16,966
	Vehicles	53,181	16,669	69,850
All	Carriers	23,992	1,786	25,778
	Vehicles	130,194	19,490	149,684

As of September, 2016.



Alberta's NSC Carriers

Three Largest NSC Fleets in Alberta	
Company	Average Fleet Size
City of Calgary	2,218
City of Edmonton	1,681
Southland Transportation Ltd.	1,542

As of November, 2016.



What is the National Safety Code?

The National Safety Code (NSC) is a set of standards used by all Canadian jurisdictions to enhance the safety of commercial truck and bus carriers.

The primary goal of this program is to reduce the number and severity of collisions involving commercial vehicles.

CCMTA | CCATM

Canadian Council of Motor Transport Administrators
Conseil canadien des administrateurs en transport motorisé

The Canadian Council of Motor Transport Administrators (CCMTA) coordinates all matters dealing with the administration, regulation and control of motor vehicle transportation and highway safety. Membership includes representation from provinces as well as the federal government of Canada.

3.1 The Vision

The vision for Road Safety Strategy 2025 is *"Towards Zero: Having the safest roads in the world"*.

Vision

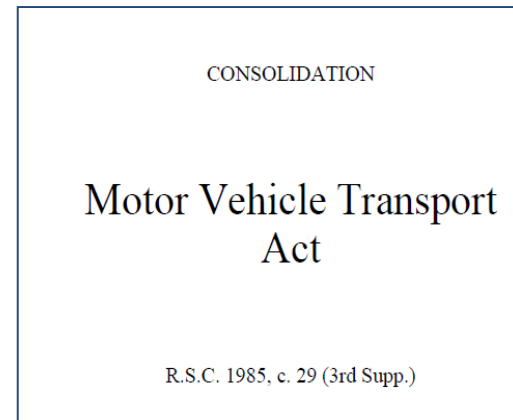
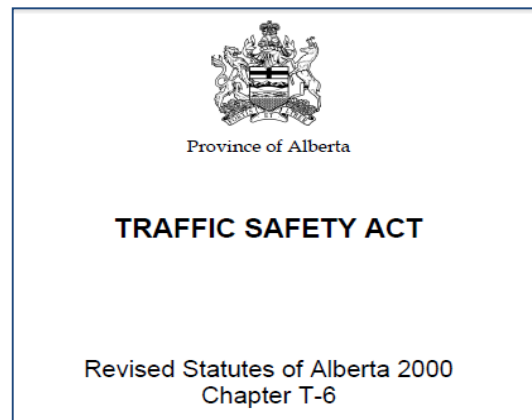
To have the safest and most efficient movement of people and goods by road in the world.

What is the National Safety Code?

There are 16 NSC standards, most of which are addressed within Alberta's *Traffic Safety Act* and associated regulations, primarily:

- *Commercial Vehicle Certificate and Insurance Regulation*
- *Drivers' Hours of Service Regulation*
- *Commercial Vehicle Safety Regulation*
- *Bill of Lading and Conditions of Carriage Regulation*

Some standards are also enforced in Alberta via the federal *Motor Vehicle Transport Act* and associated regulations.



National Safety Code Standards

Of the 16 NSC Standards, Carrier Services is primarily responsible for:

- Standard 7 – Carrier and Driver Profiles
- Standard 9 – Hours of Service Regulations
- Standard 14 – Safety Ratings
- Standard 15 – Facility Audit Standards

Carrier Services is responsible for the implementation of the legislation related to these standards to monitor the safety performance of commercial bus and truck carriers travelling on Alberta's highways.



National Safety Code Standards

STANDARD 1: Single Driver Licence Concept

- Permits a driver to only have a single licence and ensures driving infractions are appropriately assigned to that single licence.

STANDARD 2: Knowledge and Performance

- Standardized testing for written and road tests.

STANDARD 3: Driver Examiner Training Program

- Ensuring driver examiners skills and knowledge are consistent across Canada.

STANDARD 4: Classified Driver Licensing System

- A more uniform classification and endorsement system for driver licences. This helps to ensure that a licence issued in one province or territory is recognized in all provinces and territories.

National Safety Code Standards

STANDARD 5: Self Certification Standards and Procedures

- Outlines criteria which must be met to permit carriers and driving schools to train commercial drivers.

STANDARD 6: Medical Standards for Driving

- Sets standards used to establish whether drivers are medically fit to drive.

STANDARD 7: Carrier and Driver Profiles

- This standard is designed to provide jurisdictions with a record of driver and carrier performance as they apply to compliance to safety rules and regulations.

“The Profile system was established to provide NSC administrators with an overview of a carrier’s record and the ability to review current and past performance.” – Standard 7

Standard 7: Carrier and Driver Profiles

- Each jurisdiction must keep a Carrier Profile on each carrier that is issued a Safety Fitness Certificate.
- Carrier Services uses Carrier Profile information to monitor the on-road performance of carriers and to intervene with the 5% of carriers that pose the highest risk to public safety.
- Carriers can request a copy of their Carrier Profile at any time to conduct internal monitoring and self-evaluations.

Alberta's Carrier Profile report contains:

- Carrier Information (name, address, etc.);
- General compliance information;
- Convictions;
- CVSA Inspection results;
- Collisions and Violations;
- Monitoring information;
- Inspection Station licence status; and
- Safety Rating history.

Alberta
Government

CARRIER PROFILE

CARRIER INFORMATION

Example Transport (Alberta) Limited

4920 - 51 St.
RED DEER AB T4N 6K8

NSC Number: A88888888

Profile Period Start: 2011 NOV 15
End: 2012 NOV 14

NOTE

The "Carrier Profile" includes a history of convictions, inspections, and collisions provided to Alberta Transportation by law enforcement and other government agencies. Other information such as inspection facility certifications, audits, and notices documenting violations may also be displayed. The Carrier Profile is used to identify carriers that pose an unacceptable risk to the public. Information contained in the Carrier Profile will be considered when establishing a carrier's safety fitness rating.

Carriers are encouraged to obtain and review their Carrier Profile regularly to help evaluate the effectiveness of their safety and maintenance programs.

The actual description and coding of events are worded using criteria set by the Canadian Council of Motor Transport Administrators (CCMTA) and therefore may not be the same wording that appears on law enforcement documentation.

The carrier's current compliance standing can be found in "Part 1 - Carrier Information". This will always reflect events that have occurred in the previous 12 months from the printed date regardless of the Profile Period Start and End Date.

All reasonable efforts have been taken to ensure the accuracy of the information in this report. If any information shown in this profile is in question, the carrier should consult their records and, if it is believed an inconsistency still exists, contact Carrier Services at (403) 340-5444.

An Education Manual has been developed to assist carriers with compliance to transportation safety legislation. The manual and other information regarding Alberta's safety fitness program can be viewed on the internet at www.transportation.alberta.ca

Date Printed: 2012 NOV 14 Requested By: HTMTB04

Standard 7: Driver Profiles

Alberta Commercial Driver Abstracts (CDA)

- Designed specifically for commercial drivers.
- Provides a more complete driving record and more insight into a commercial driver's habits, attitudes and compliance history.
- Incorporates existing information from the Driver's Abstract and includes information on National Safety Code (NSC) infractions such as hours of service convictions, cargo securement violations, and CVSA inspection results.
- Includes information from NSC violations received while driver operated Alberta commercially registered vehicles in North America.



National Safety Code Standards

STANDARD 8: Short Term Suspension

- Establishes criteria for placing drivers Out of Service for a short term (24 hour) basis by a peace officer for impairment issues.

STANDARD 9: Hours of Service

- Alberta applies two standards for hours of service. All hours of service legislation is designed to prevent drivers from driving a commercial vehicle while fatigued.
- Fatigued driving poses a very high risk to public safety.
- The standard applies is based on weight of vehicle and Operating Status (federal or provincial).

DRIVER'S DAILY LOG

Starting Date/Time: _____ Ending Date/Time: _____

Vehicle Type: ☐ 1000 lbs. or less ☐ 1000 lbs. to 16,000 lbs. ☐ Over 16,000 lbs.

Operating Status: ☐ Federal ☐ Provincial

On Duty: _____ Off Duty: _____

REMARKS: _____

SIGNATURE: _____



Standard 9: Hours of Service

Provincial *Drivers' Hours of Service Regulation AR317/2002* applies to:

- Drivers of commercial vehicles that are registered for 11,794 kilograms or more, who hold a “Provincial” Operating Status on their Safety Fitness Certificate and do not leave Alberta.
- Drivers of commercial vehicles with a manufacturer’s seating capacity originally designed for 11 or more persons, including the driver, who hold a “Provincial” Operating Status on their Safety Fitness Certificate and do not leave Alberta.

A carrier must have a PROVINCIAL Operating Status if any of the following applies:

They operate only within Alberta

They operate a commercial vehicle that is registered for a weight of 11,794 kilograms or more

They operate a commercial vehicle with a manufacturer’s seating capacity originally designed for 11 or more persons, including the driver



Standard 9: Hours of Service

Federal *Commercial Drivers Hours of Service Regulation* SOR/2005-313 applies to:

- Drivers of commercial vehicles that weigh more than 4,500 kilograms, who hold a “Federal” Operating Status on their Safety Fitness Certificate and may leave Alberta.
- Drivers of commercial vehicles with a manufacturer’s seating capacity originally designed for 11 or more persons, including the driver, who hold a “Federal” Operating Status on their Safety Fitness Certificate and may leave Alberta.

A carrier must have a FEDERAL Operating Status if any of the following applies:

They operate in multiple provinces, territories or states.

They operate a commercial vehicle that is weighing or registered for more than 4,500 kilograms

They operate a commercial vehicle with a manufacturer’s seating capacity originally designed for 11 or more persons, including the driver



National Safety Code Standards

STANDARD 10: Cargo Securement

- Requirements for safely securing loads in or on commercial vehicles.

STANDARD 11: Commercial Vehicle Maintenance Standards

- Outlines maintenance and inspection requirements.

STANDARD 12: Commercial Vehicle Safety Alliance (CVSA) On-Road Inspections

- On-road inspections conducted to CVSA standards.

STANDARD 13: Daily Trip Inspection Reports

- Prescribes daily trip inspection requirements.
- Ensures early identification of problems and defects to help prevent conditions that may contribute to collisions.

National Safety Code Standards

STANDARD 14: Safety Ratings

- Establishes a rating framework by which each jurisdiction assesses safety performance of motor carriers.

Alberta has the following safety ratings for commercial carriers:

1. **Excellent** – member of the Partners in Compliance (PIC) program. Carrier demonstrates better than industry standard safety compliance and has passed an ARC audit.
2. **Satisfactory** – carrier has been audited by Alberta Transportation and has been found to be in compliance.
3. **Satisfactory Unaudited** - standard rating for most carriers and those just entering the NSC program.
4. **Conditional** – carrier is permitted to operate but with customized conditions to ensure the safe operation of commercial vehicles.
5. **Unsatisfactory** – carrier is not permitted to operate regulated commercial vehicles as a result of non-compliance and unsafe operations.

National Safety Code Standards

STANDARD 15: Facility Audit Standards

- Outlines the audit process used by jurisdictions to determine a carrier's level of compliance to all applicable safety standards.
- Alberta currently uses a proprietary program called the Assessment of Regulatory Compliance (ARC).

The purpose of the National Safety Code (NSC) Facility Audit is to monitor carriers for compliance with all applicable highway safety regulations including but not limited to those covered by the National Safety Code for Motor Carriers. An audit consists of a detailed examination of certain records which are required to be maintained by bus and truck carriers, interviewing personnel who are responsible for safety management, conducting on- and off-highway Commercial Vehicle Safety Alliance (CVSA) inspections on commercial vehicles and recording the audit findings.

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Conseil canadien des administrateurs en transport motorisé

Responsibilities of NSC Carriers

- Create and implement written Safety and Maintenance Programs that address regulatory requirements under section 40 of the *Commercial Vehicle Certificate and Insurance Regulation*;
- Designate a safety officer responsible for implementing and maintaining the programs;
- Management control of safety information;
- Driver training and evaluation;
- Maintenance of driver and vehicle files;
- Mandatory vehicle inspections (trip inspections, CVIPs);
- Comply with the appropriate drivers' hours of service regulations;
- Maintain insurance to regulatory levels; and
- Maintain an acceptable Safety Fitness Rating.



Contents of safety program

40(1) The registered owner of every commercial vehicle who is required to operate the vehicle under the authority of a safety fitness certificate must establish, maintain and follow a written safety program that, in a manner that is clearly documented, addresses matters relating to the safe use and operation of commercial vehicles, including:

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- (a) speed limits, seat-belt use, drug and alcohol use, defensive driving, load security, and fuelling;
 - (b) proper records and recording of information including, as required, bills of lading, manifests, dangerous goods documents, time records, drivers' daily logs and weigh slips;
 - (c) policies that drivers are expected to comply with the law, and policy and procedures related to driver training, responsibilities, conduct and discipline;
 - (d) instructions for the use of safety equipment, including, as required, the use of fire extinguishers, goggles, and hard hats;
 - (e) training for employees about safety laws and their application and an ongoing program for evaluating their driving skills;
 - (f) retention of complete records for each driver in accordance with section 41;
 - (g) policies for ensuring that drivers are properly qualified for the type of vehicle they operate.

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NSC Maintenance Programs

- According to Section 6 of the *Commercial Vehicle Safety Regulation*, carriers must prepare and carry out a maintenance and inspection program that pertains to the carrier's commercial vehicle(s).
- Must be a formal written document that outlines maintenance and inspection policies for all employees in the company.
- Purpose: provide for a continuous and regular program for the inspection, maintenance and repair of the carrier's regulated commercial vehicles.
- Not intended to be a "break and fix it" program, but primarily a program of preventative maintenance.



NSC Safety Officers

- Safety and maintenance programs must be customized to meet the needs of a specific carrier.
- Every NSC carrier must designate a “safety officer” to:
 - Understand provincial and federal transportation laws;
 - Understand the difference between National Safety Code and Occupational Health and Safety requirements;
 - Have knowledge in regulatory subjects related to transportation safety;
 - Have demonstrated skills in communication, training, and the coordination of safety and maintenance policies, procedures and practices;
 - Be given the authority to implement the safety program and to ensure employee compliance with transportation safety laws;
 - Be aware of any additional company policies and procedures that are important to understanding company operations;
 - Have a clear job description and an understanding of company expectations.
- Although all employees have a responsibility to promote transportation safety and compliance, the safety officer plays a lead role with management in ensuring safety success.

Shared Responsibility for Safety

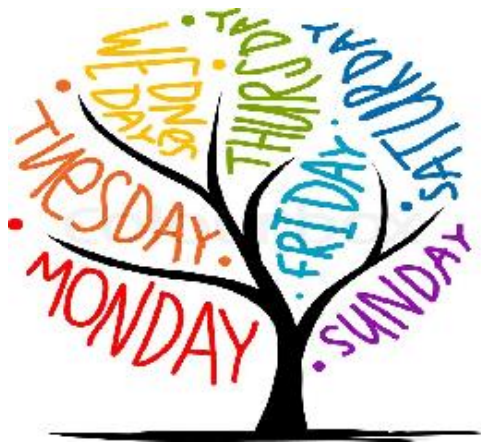
- Although the company safety officer is responsible for maintaining company safety and maintenance programs and for monitoring their effectiveness, they cannot do their job properly without the full cooperation of all staff.
- Every person in a company has a **shared responsibility** to promote transportation safety and compliance.
- The cornerstone of every safety program is commitment from company management.
- Lead by example and demonstrate the importance of safety and compliance.
- Ensure the designated safety officer is given the support, responsibility and authority to effectively monitor safety and compliance.
- Convey ongoing enthusiasm and willingness to invest in safety.



Safety Management

- Generating safety records **is not** the final goal.
- The purpose of records and reports is to ensure carrier management has the information they need to ensure that:

EVERY VEHICLE AND **EVERY DRIVER** is
SAFE AND COMPLIANT
EVERY DAY



Assessing Carrier Compliance

- The Assessment of Regulatory Compliance (ARC) program was first developed in 1998 as an assessment tool for ensuring carriers were meeting the minimum requirements set out by the NSC Standards and Alberta's regulatory requirements.
- Since its original creation, ARC has undergone several revisions to ensure Alberta Transportation's Public Safety Investigators and Third Party Auditors are using an up-to-date, quantifiable and accurate assessment tool.


ARC has three major functions:

- Capture audit information to assess compliance to transportation safety legislation;
- Capture investigative information (e.g. hours of service investigation);
- Administrative functionality.

ARC Audits

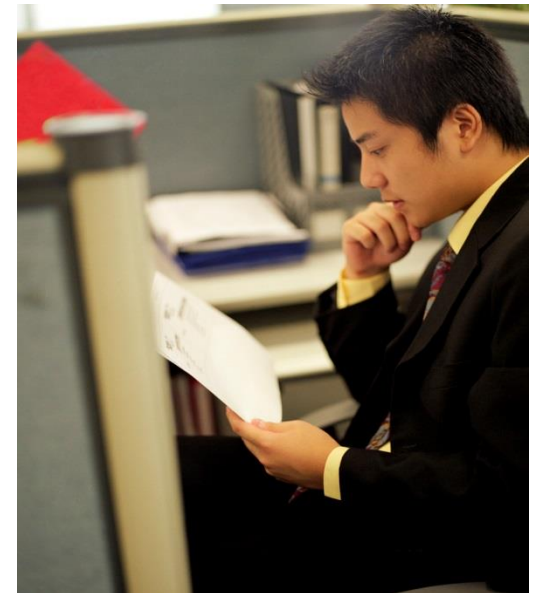
ARC Audits may be initiated for reasons based on:

- Information on the carrier's Profile, such as their Risk Factor score and monitoring stage;
- Significant on-road events (e.g. collisions, fatalities);
- Complaints about the carrier received from enforcement agencies, the general public or a carrier's employees;
- A carrier application for a special "safety" permit;
- A random sampling of carriers within a particular industry group to ensure the general level of safety and compliance within that group.

	<i>CARRIER PROFILE</i>
<i>PART 1 - CARRIER INFORMATION</i>	
<i>12-month Report as of:</i> 2016 JUN 16	
Example Transport (Alberta) Limited	
4221 - 53 St. RED DEER AB T4N 2E1	

Auditors

- Audits may be conducted by Carrier Services Public Safety Investigators or by government approved Third Party Auditors.
- Carrier Services has used transportation consultants to assist with carrier compliance since 2000.
- A person who has successfully completed the Third Party Auditor Certification Program is eligible to conduct contract audits on behalf of the Alberta Government.
- Certified auditors must maintain their certification by completing occasional re-certification requirements.
- Alberta Transportation currently works with 20 Third Party Auditors.



ARC Audits

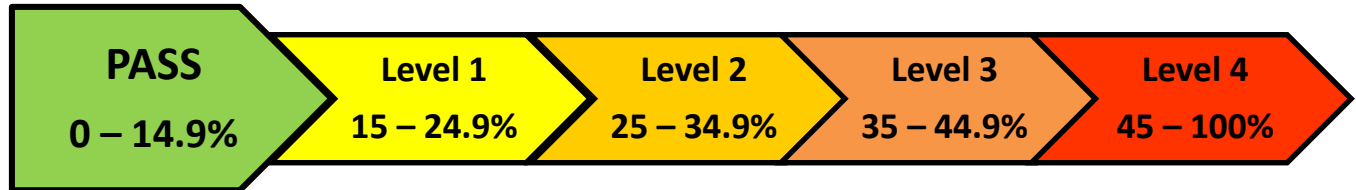
Using the ARC program, auditors may examine records relative to the following four categories:

Carrier Safety	Driver Safety	Drivers Hours of Service	Vehicle Maintenance
<ul style="list-style-type: none">• Written Safety Program• Management practices• Insurance policies• Compliance with the law• Dangerous Goods control records	<ul style="list-style-type: none">• Driver files (including things such as driver training records and abstracts)• Licence disclosures• Driver collision and conviction Records• Annual driver evaluations• Evidence of corrective action(s) taken by the carrier	<ul style="list-style-type: none">• Daily logs• Time records (radius records, for example)• Supporting documents (i.e. fuel bills, toll receipts, accomodation receipts, payroll records)	<ul style="list-style-type: none">• Written Preventative Maintenance and Inspection Program• Records of carrier's routine preventative maintenance program• Valid CVIP certificates• Trip Inspection Reports and follow-up repairs• Records of defect Repairs

Auditors may also review other information or vehicles that they find relevant. The time needed to complete an audit depends on the carrier's fleet size, type of operation, and level of compliance.

ARC Audits

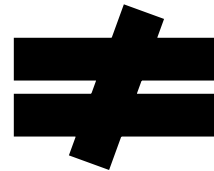
Audit scores are based on the percentage of non-compliance. A “passing” score is **less than 15%.**



- Following an audit, the carrier will be given a copy of the full audit report that shows violations that were detected during the audit.
- Auditors will conduct an “exit interview” to fully explain the results of the audit.
- Carriers, regardless of whether they achieved a passing or failing score, are expected to correct any violations that were identified in the audit. These corrections are verified in another full audit or a “verification”.
- Carriers that fail to correct issues of non-compliance will be subject to further intervention action.

ARC Audits

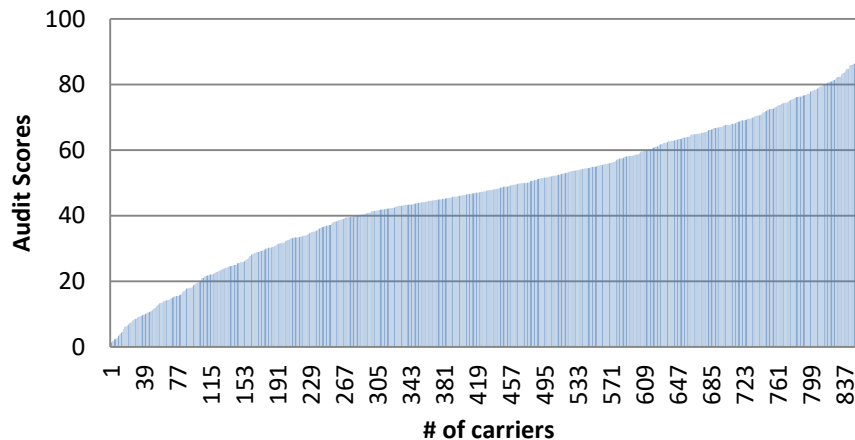
- The ARC audit is often mistaken by carriers as being the same as an Occupational Health and Safety (OH&S) focused Certificate of Recognition (COR) audit.
- Because of this misunderstanding, many NSC regulated carriers who passed their COR audit fail the ARC audit. A carrier that has demonstrated workplace safety and compliance to OH&S requirements may still not be adhering to NSC requirements that are in place to protect the motoring public.



Understanding = Increased Safety

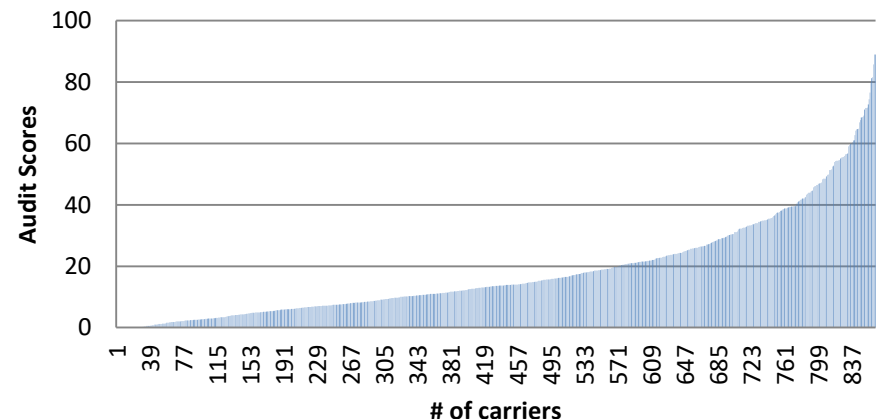
- Carriers have demonstrated that once they have a better understanding of NSC requirements, they can improve their level of safety and compliance on Alberta's highways.

First-time ARC audit scores



**Average “First time”
audit score: 47.61%**

Second-time ARC audit scores



**Average “Second time”
audit score: 18.36%**

Progressive Intervention

- The progressive intervention program is intended to promote positive changes in corporate behavior to improve safety and to reduce the severity and frequency of collisions. It has clearly defined steps, yet it is flexible enough to allow for special circumstances.
- The program ensures that carriers demonstrating non-compliance are approached in a consistent, fair and objective manner.
- Carrier Services monitors all profile data of over 26,000 Alberta-based carriers to identify the carriers that pose the **greatest risk to public safety**.
- When considering what intervention actions to take with a carrier, Carrier Services will review:
 - Information supplied by the carrier or by the Carrier Profile;
 - The carrier's Risk Factor monitoring stage;
 - Relevant audit and investigation information;
 - Perceived risk the carrier poses to the public and/or their staff.

Consequences of Non-Compliance

- The Registrar can take progressive intervention actions including:
 - Send a warning letter;
 - Take court enforcement action (up to \$25,000 per offence);
 - Conduct ARC audits or investigations on the carrier;
 - Issue administrative penalties (up to \$10,000 per day);
 - Impose conditions on the carrier's Safety Fitness Certificate;
 - Invite the carrier to a Compliance Review Committee (CRC) meeting to discuss options for improvement;
 - Cancel or deny privileges granted by Alberta Transportation (e.g. permits, exemptions);
 - Downgrade rating to "Conditional" or "Unsatisfactory";
 - Suspend the carrier's Safety Fitness Certificate and prohibit the operation of commercial vehicles.

Alberta
Government

Notice of Administrative Penalty
(As Authorized by Section 143 of the Traffic Safety Act)

Notice Identification #: CS11-300
To: Sample Hauling Ltd
NSC #: AB123-4567
MVID #:

After reviewing the information available to me, I have concluded that **Sample Hauling Ltd** has contravened the following legislation in respect of which an administrative penalty may be imposed.

Particulars of Offence:

Section Violated:	40(1) of TSA AR 314/02 Commercial Vehicle Certificate and Insurance Regulation
Date of Offence:	March 28, 2011
Location of Offence:	Westlock, AB
Details:	Carrier failed to have and/or implement a safety program in place as per the findings of the audit conducted on March 28, 2011.

Compliance Review Committee (CRC)

- If a carrier has a history of non-compliance, fails to respond to the Alberta government's intervention in a positive way and presents an unacceptable risk to the public, they may be invited to a meeting with the Compliance Review Committee (CRC).
- The purpose of the CRC is to give carriers the opportunity to provide information about their operation and safety performance before further intervention actions are taken. The CRC panel interviews carriers to discuss the reasons for why they are non-compliant and considers all of the information that is provided, including:



- After a CRC meeting, the Registrar will determine what appropriate intervention actions may be taken to address the risks posed by that carrier.

Appeals

- The *Traffic Safety Act* provides a carrier with the ability to appeal a decision made by the Registrar to the Alberta Transportation Safety Board.
- To appeal a Registrar's decision, the carrier must purchase an appeal package from an Alberta Registries Agent. There are two types of Application for Hearing:
 - non-oral which requires a written submission (\$125); or
 - oral, which requires a personal appearance before the Board (\$250).
- Appeals must be relevant to the actions of the carrier and/or the Registrar leading up to the Registrar's decision. Actions taken by the Carrier after the Registrar's decision may be pertinent to the carrier making a new application to the Registrar, but not to an appeal.



Questions