



Module 2

Application



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Things to think about ...

There are two Hours of Service regulations:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations*
- Alberta Drivers' Hours of Service Regulations

What is the difference between these two regulations?

Do the Federal Regulations apply to all commercial vehicles?

What will I learn in this module?

- Definition of a motor carrier
- Commercial vehicles that apply the Federal Regulations
- Commercial vehicles that are excluded from the Federal Regulations

What is a motor carrier?

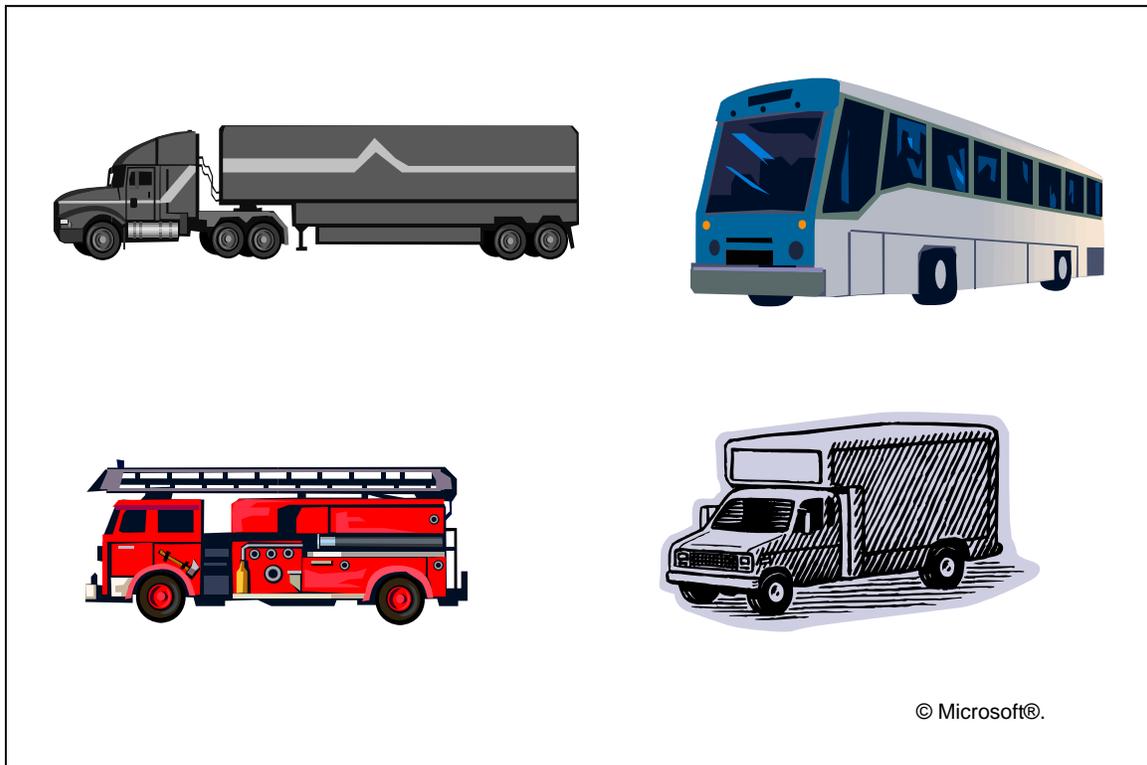


Legislative References:

- *Federal Motor Vehicle Transport Act (1987) Section 2(1) Definitions*

A “motor carrier” is a person who transports goods/passengers by truck or bus and operates the vehicle for commercial purposes. Motor carriers include transportation and bus companies as well as other groups such as farmers, small businesses and fire departments.

All motor carriers must declare whether they intend to operate within Alberta or outside Alberta. Motor carriers that operate outside of Alberta (i.e., extra-provincial undertaking) have "Federal" Operating Status. Motor carriers that operate solely in Alberta (i.e., intra-provincial undertaking) have "Provincial" Operating Status. This status appears on their Alberta Safety Fitness Certificate.



Which commercial vehicles apply the Federal Regulations?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*

The Federal Regulations apply to any commercial vehicle that meets the following criteria:

- 1) Registered to a motor carrier with a Federal Operating Status (as indicated on the carrier's Alberta Safety Fitness Certificate)
- 2) A truck, tractor, trailer or any combination of these vehicles with a total registered gross vehicle weight greater than 4,500 kilograms

OR

A bus with a seating capacity of 11 persons or more, including the driver

If the commercial vehicle does not meet both of these criteria, the Federal Regulations do not apply.

If the carrier has a Provincial Operating Status, the Alberta Regulations will apply.

It is important to note that if a carrier has a Provincial Operating Status, but is transporting a load that originates or is destined for a point outside of Alberta, the carrier has the wrong Operating Status and the Federal Regulations will apply. This carrier needs to choose one of the following options:

- Transfer the load to another carrier who has the appropriate Federal authority
- Hold the load while the carrier applies to have its Operating Status changed. There is no point-to-point option that will allow a vehicle registered to a Provincial carrier to cross any Alberta border.

Which commercial vehicles do not apply the Federal Regulations?

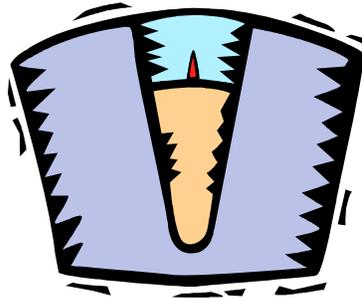


Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 2(1) Application*
- *Federal Emergencies Act (1985) Section 5*

The Federal *Commercial Vehicle Drivers Hours of Service Regulations* do not apply to the following vehicles:

- 1) Commercial vehicle with a total registered gross vehicle weight of 4,500 kilograms or less



Total Registered Gross Vehicle Weight

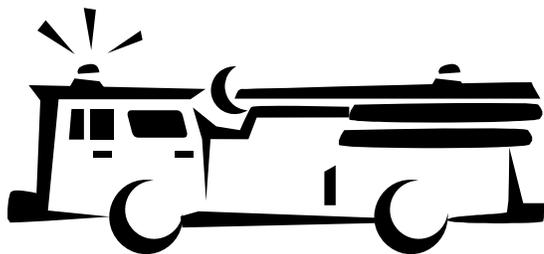
$\leq 4,500$ kilograms

- 2) Two or three-axle commercial vehicle transporting primary products of a farm, forest, sea, or lake and the driver (motor carrier) is the producer of the products. This exemption covers both the delivery and the return trip.



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- 3) “Emergency vehicles” which include a fire-fighting vehicle, ambulance, police vehicle, or other vehicle used for emergency purposes. An emergency is an unexpected series of events where there is an urgent need for immediate action, assistance or relief. Tow trucks are not an emergency vehicle.



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4) Commercial vehicle providing relief in a “public welfare emergency.”
These emergencies include:

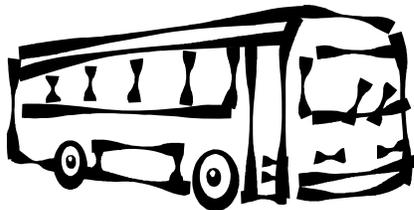
- fire, flood, drought, storm, earthquake, hurricane, tornado or other natural phenomenon
- disease in human beings, animals or plants
- accident or pollution

Drivers should document the circumstances and the reason for the emergency exemption as this information may be required during an audit or investigation.



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5) Bus that is part of a municipality’s public transit system and that travels within 25 kilometres of the boundary of the municipality.



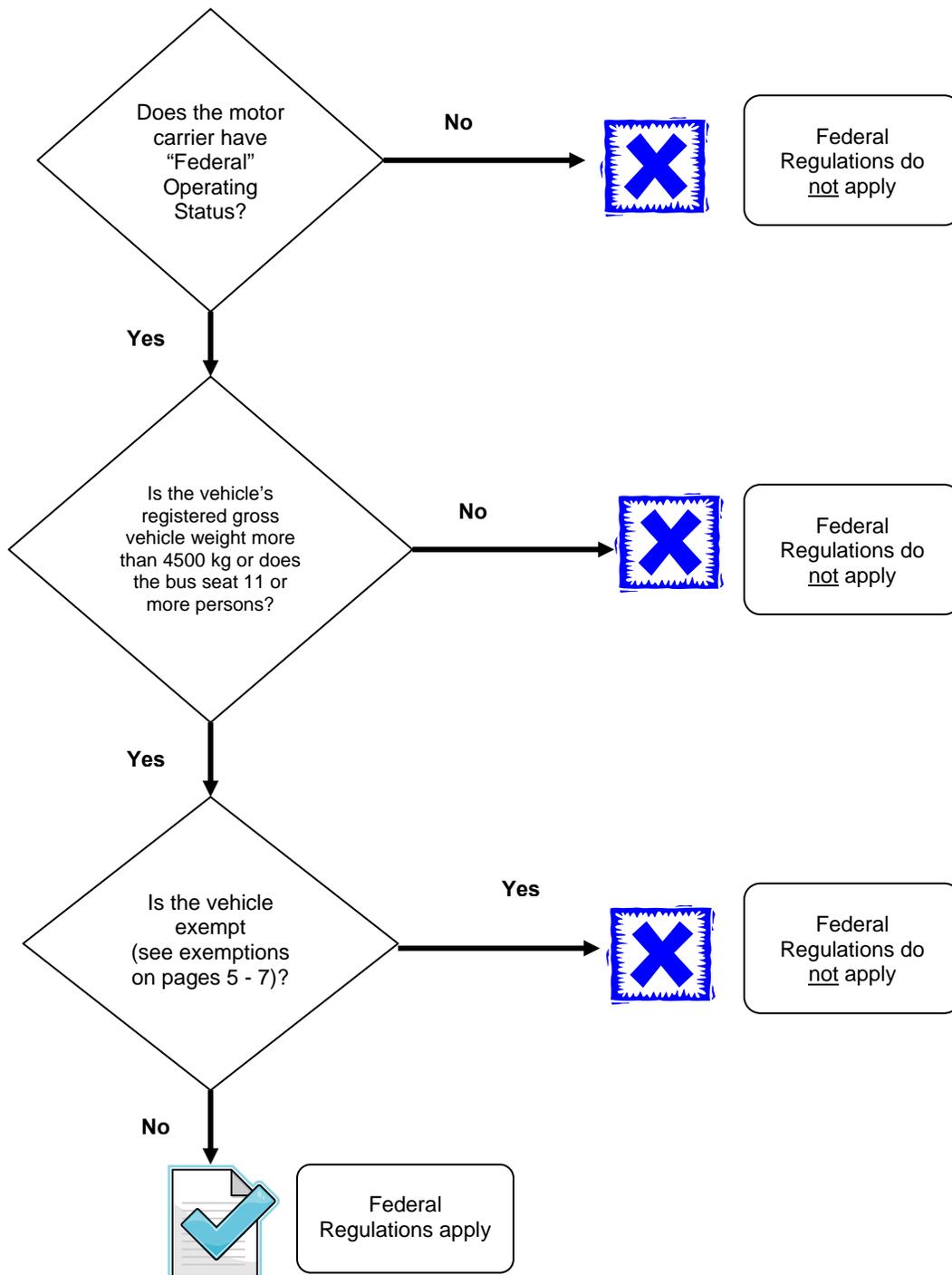
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6) Commercial vehicle driven for personal use. We will review this exemption in detail in Module 14.

With the exception of the commercial vehicles listed above, all other commercial vehicles that meet the criteria listed on page 4, must apply the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.



Federal Commercial Vehicle Drivers Hours of Service Application Summary





Module Self-Check Questions

If you can answer the following questions, you are ready to move to the next module. If you can't answer the questions, please review the module again before continuing.

- 1) The Federal Hours of Service Regulations apply to commercial vehicles with a registered gross vehicle weight over what number?

- 2) The Federal Hours of Service Regulations apply to buses with a seating capacity over what number?

- 3) An Alberta courier company hauls parcels from Calgary, Alberta to Spokane, Washington. The vehicle, registered for 14,000 kilograms, has "Federal" operating status. Which hours of service regulation would apply?

- 4) A commercial vehicle hauls groceries from Calgary, Alberta to High Level, Alberta and has "Provincial" operating status. Which hours of service regulation would apply?

- 5) A commercial vehicle hauls a load of electronics from Dallas, Texas to Grande Prairie, Alberta. The truck is registered in Alberta. The driver picked up the load in Calgary because the original driver got sick. Which hours of service regulation would apply?

- 6) Identify the 5 categories of commercial vehicles that are exempt from the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.

Answers to Module Self-Check Questions

- 1) The Federal Hours of Service Regulations apply to commercial vehicles with a registered gross vehicle weight over what number?
 - Greater than 4,500 kilograms
- 2) The Federal Hours of Service Regulations apply to buses with a seating capacity over what number?
 - 11 persons or more, including the driver
- 3) An Alberta courier company hauls parcels from Calgary, Alberta to Spokane, Washington. The vehicle, registered for 14,000 kilograms, has “Federal” operating status. Which hours of service regulation would apply?
 - Federal
- 4) A commercial vehicle hauls groceries from Calgary, Alberta to High Level, Alberta and has “Provincial” operating status. Which hours of service regulation would apply?
 - Alberta
- 5) A commercial vehicle hauls a load of electronics from Dallas, Texas to Grande Prairie, Alberta. The truck is registered in Alberta. The driver picked up the load in Calgary because the original driver got sick. Which regulation would apply?
 - Federal
- 6) Identify the five categories of commercial vehicles that are exempt from the Federal *Commercial Vehicle Drivers Hours of Service Regulations*.
 - 2 or 3-axle vehicle transporting farm, forest, sea, or lake products
 - Emergency vehicles
 - Commercial vehicle providing relief in a “public welfare emergency”
 - Municipality’s public transit bus
 - Commercial vehicle driven for personal use