



Module 13

Permit Process



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Things to think about ...

In Modules 10 – 12, we reviewed three different types of special permits. Even though the nature of the permits is different, the process to obtain a permit and the obligations of permit holders are the same.

How does a motor carrier apply for a permit?

Who approves and issues a permit?

What obligations does a motor carrier have while operating under a permit?

Can a permit be changed, cancelled or suspended?

What will I learn in this module?

- Application for permits
- Approval and issuance of permits
- Obligations of permit holders
- Amendment, cancellation and suspension of permits

How does a motor carrier apply for a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 64 Applications for Permits*

Motor carriers need to submit permit applications to the director (i.e., federal or provincial depending on the type of permit). The application must include at least the following information and documents:

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application (i.e., list accidents reported to the police as required by the laws of the province, state or country in which the accident occurred)
- Requested duration of the permit (some permits have maximum periods specified)
- If a commercial vehicle will be traveling across provinces, a detailed description of the load and the provinces in which the permit will apply
- If a commercial bus will be traveling across provinces, a detailed description of the routes to which the permit will apply
- Requested schedule
- Reasons for application, with supporting evidence

- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier

The director may also require the daily logs, supporting documents or records of on-duty times, for the 6 months before the date of application, of every driver who will operate a commercial vehicle for the motor carrier under the permit.



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Who approves and issues a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 65 Approval of Other Directors*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 66 Issuance of Permits*

The director (federal or provincial depending on the type of permit) approves and issues a permit.

However, before issuing a permit, a director needs written approval from the provincial directors of the provinces in which the commercial vehicle(s) will operate under the permit. Provincial directors respond to requests for approval within 30 days and give their approval if they have no reason to believe that the permit would risk the safety or health of the public, driver or employees of the motor carrier.

When a director issues a permit, the permit specifies at least the following information:

- Reason for permit
- Duration for permit – maximum 1 year
- Any terms or conditions required for the protection of the safety and health of the public, driver or employees of the motor carrier

A permit sample follows on the next pages.



Permit No: 07-898-7872

0236-05884

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PURSUANT TO THE AUTHORITY VESTED IN THE REGISTRAR UNDER THE PROVISIONS OF THE TRAFFIC SAFETY ACT, PERMISSION IS HEREBY GRANTED TO:

Alberta Transportation - V806 Central
Permits Office
401-4920 51 St
Red Deer, AB T4N 6K8
Canada

Requested by: LK by Phone
Effective Date: January 3, 2007
Expiry Date: January 2, 2008

Issued On: January 3, 2007 at 03:17 PM
Last Revised On: January 3, 2007 at 03:17 PM
Issued By: Carrier Services

Permit Type: Federal Hours Of Service

In accordance with the provisions of Section 63 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313, Sections 24 to 29 and 49 to 54 of this regulation, being the cycle requirements, do not apply provided that the holder of this permit complies with the following conditions.

In addition, the permit holder must hold a valid operating status of "Federal" or its equivalent authority from other jurisdictions.

Total Fee:

\$0.00

THIS IS NOT AN INVOICE.
THIS IS A COPY FOR YOUR RECORDS.

Conditions:

* This certificate only applies to Oil Well Service Vehicles as defined in Section 1 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313 which means:

A commercial vehicle that is:

- a) specially constructed, altered or equipped to accommodate a specific service requirement associated with the oil or natural gas industry and
- b) used exclusively in the oil or natural gas industry for transporting equipment or material to and from oil or natural gas facilities or for servicing and repairing oil or natural gas facilities.

* This certificate only applies to Section 63 of the Federal Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313 and states that a driver of an oil well service vehicle shall be exempt from the cycle requirements provided:

- a) drivers have successfully completed training directly related to safety requirements associated with operating within the field services sector of the oil or natural gas industry; and
- b) the safety and health of the public, the driver or the employees of the motor carrier are not or are unlikely to be jeopardized.

* The permit holder must comply with all other provisions of the regulation including the daily maximum for driving time and on-duty time under:



Permit No: 07-898-7872

0236-05884

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Section 63(2)(a) - the driver must take at least 3 periods of off-duty time, each at least 24 hours long, in any period of 24 days, the periods being taken consecutively or separated by on-duty time,

Section 63(2)(b) - the driver must take at least 72 consecutive hours of off-duty time after ending driving under the provisions of the permit and beginning driving under Sections 24 to 29 or 49 to 54.

Section 63(3) - when the driver begins to drive again under Sections 24 to 29 or 49 to 54, they begin to accumulate hours in the cycle.

Section 63(4) - waiting and standby time at an oil or natural gas well site or ancillary facility shall not be included as on-duty time if:

- a) the driver performs no work during the time;
- b) the time is fully and accurately recorded in the daily log as off-duty time and denoted as waiting or standby time in the "Remarks" section; and
- c) the time is not included in the mandatory minimum of 8 consecutive hours of off-duty time.

Section 63(5) - none of the daily off-duty time shall be deferred to the next day.

* The permit holder must report every traffic accident involving a driver of a National Safety Code vehicle, regulated by this permit, resulting in:

- a) the death of a person;
- b) an injury requiring treatment by a medical doctor;
- c) a condition that causes an employee to lose consciousness; or
- d) damage to all property, including cargo, totaling \$1000 or more

on the required Collision Investigation Report Form, to the Director, Carrier Services, within 30 days of the date of occurrence.

* The permit holder shall retain the original permit at the carrier's principal place of business in Alberta and shall produce such permit upon the request of a person authorized for such purposes.

* Every driver of a motor vehicle operated under the authority of this permit, shall carry a copy of the permit in the motor vehicle and the driver shall produce such permit upon request of a person authorized for such purposes.

* Regardless of whether all other conditions specified in the permit are being complied with, no permit holder shall request, require or permit a driver to drive and no driver shall drive, where the driver's faculties are impaired and it is unsafe for the driver to drive.

* The permit holder must develop and implement written policies and procedures to ensure that all other conditions in this permit are being complied with at all times. All documentation related to compliance with these conditions must be made available to an authorized person when requested.



Alberta

Permit No: 07-898-7872

0236-05884

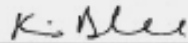
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- * The permit holder shall comply with all other laws applicable to hours of service, labour, and transportation legislation.
- * The Director, Carrier Services in Alberta may cancel this permit for failure to comply with any of the provisions or conditions stated on the permit.

Alberta Infrastructure and Transportation
Vehicle Safety & Carrier Services
Carrier Services

Phone: (403) 340-5444

Fax: 403-340-4806



Kim Durdle
Director
Carrier Services

What obligations does a motor carrier have while operating under a permit?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 67 Obligations of Permit Holders*

If a director issues a permit to a motor carrier, the motor carrier has several obligations. The motor carrier must do the following:

- Place a copy of the permit in each commercial vehicle that will operate under the permit
- Submit a list of commercial vehicles operating under the permit and notify the director of any changes so that the director can accurately and quickly identify the vehicles
- If requested by the director, submit the daily logs and supporting documents of the drivers of the commercial vehicles operating under the permit
- Notify the director immediately of any accident involving any of the commercial vehicles operating under the permit if it is required by the laws of the province, state or country in which the accident occurred to be reported to police
- Ensure that every driver, who is driving under the permit, follows the terms and conditions of the permit



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Can a permit be amended, cancelled or suspended?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 68 Amendment, Cancellation and Suspension of Permits*

A director who issues a permit can amend, cancel or suspend the permit if one of the following occurs:

- Motor carrier or driver violates the *Federal Commercial Vehicle Drivers Hours of Service Regulations* or any condition of the permit
- Director determines that the safety and health of the public, the driver or employees of the motor carrier are at risk

In addition, if a director withdraws approval for a permit issued by another director, the director who withdraws approval must notify the motor carrier in writing. In these situations, the director who issued the permit will amend the permit and remove the authority for the commercial vehicle(s) to operate under the permit in the applicable province or territory.



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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) In the following list, place a check mark beside each piece of information or document required for a permit application.

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application
- Requested duration of the permit
- Detailed description of the load and the provinces in which the permit will apply if a commercial vehicle will be traveling across provinces
- Detailed description of the routes to which the permit will apply if a commercial bus will be traveling across provinces
- Requested schedule
- Reasons for application, with supporting evidence
- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier



2) Identify the minimum items specified on a permit.

3) Identify the motor carrier's obligations while operating under a permit.

4) List the reasons why a director may amend, cancel or suspend a permit.

Answers to Module Self-Check Questions

1) In the following list, place a check mark beside each piece of information or document required for a permit application.

- Name of motor carrier
- Names of the drivers who will operate a commercial vehicle under the permit
- Driver licence numbers of the drivers and the provinces of issuance
- List of commercial vehicles operated by the motor carrier
- List of all accidents involving the motor carrier or any driver of the motor carrier in the 6 months before the date of application
- Requested duration of the permit
- Detailed description of the load and the provinces in which the permit will apply if a commercial vehicle will be traveling across provinces
- Detailed description of the routes to which the permit will apply if a commercial bus will be traveling across provinces
- Requested schedule
- Reasons for application, with supporting evidence
- Copy of every permit issued to the motor carrier under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* in the previous 5 years (if not otherwise available)
- Signed declaration that identifies any other application for a permit under the Federal *Commercial Vehicle Drivers Hours of Service Regulations* made by the motor carrier to any director within the 6 months before the date of application
- Any other information required by the director to evaluate whether the granting of a permit would or would be likely to jeopardize the safety or health of the public, the driver or the employees of the motor carrier



- 2) Identify the minimum items specified on a permit.
 - Reason for permit
 - Duration for permit – maximum 1 year
 - Any terms or conditions required for the protection of the safety and health of the public, driver or employees of the motor carrier
- 3) Identify the motor carrier's obligations while operating under a permit.
 - Place a copy of the permit in each commercial vehicle that will operate under the permit
 - Submit a list of commercial vehicles operating under the permit and notify the director of any changes so that the director can accurately and quickly identify the vehicles
 - If requested by the director, submit the daily logs and supporting documents of the drivers of the commercial vehicles operating under the permit
 - Notify the director immediately of any accident involving any of the commercial vehicles operating under the permit if it is required by the laws of the province, state or country in which the accident occurred to be reported to police
 - Ensure that every driver, who is driving under the permit, follows the terms and conditions of the permit
- 4) List the reasons why a director may amend, cancel or suspend a permit.
 - Motor carrier or driver contravenes the Federal *Commercial Vehicle Drivers Hours of Service Regulations* or any condition of the permit
 - Director determines that the safety and health of the public, the driver or employees of the motor carrier are at risk