

# Canadian truckers violate U.S. safety rules: data

## Canada behind U.S. in embracing electronic monitoring of drivers' hours

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Thousands of Canadian trucking companies violated U.S. road safety rules in the last two years, failing to keep proper records and driving longer than officials south of the border deem safe, according to U.S. data.

A CBC analysis of the data from the U.S. Federal Motor Carrier Safety Administration shows some 4,800 Canadian carriers violated key parts of the hours of service and logbook rules in 2009 and 2010. Hundreds of carriers, based in every province but Newfoundland and Labrador, violated rules related to driver fatigue.

Canada and the U.S. have different trucking regulations and enforcement mechanisms, and Canada does not have a similar database on how carriers are faring in this country.

Michael Arpin, a Winnipeg-based trucker, said truck drivers often face pressure to violate hours-of-service rules.

## Driver fatigue

Dawn King knows the risks associated with tired truck drivers. Her father, William Badger, was killed in 2004, just two days before Christmas, when a tractor-trailer rammed his vehicle from behind on a highway in Georgia.

"I understand that the driver didn't see him because he had fallen asleep," King told CBC News.

King has been lobbying U.S. officials for tighter regulations around truck-driver fatigue ever since the deadly crash.

"If a dozen planes fall from the sky each year, you'd be all over the agencies that regulate those," she said. "But we die one by one, two by two, here and there, quietly. And that's the thing, you just have to stop being quiet."

"It's being done daily," he told CBC News. "There's drivers right now doing it on the road."

Arpin said truckers often face intense pressure to get the job done on time, even if that means driving much longer than rules allow.

If a driver refuses, there are "25 guys behind you that will do it," he said. "If you want your job, you've got to do it."

Several trucking companies told CBC News that following the rules and correctly documenting hours-of-service is the driver's responsibility.

Hundreds of Canadian companies have drawn "alerts," which are issued by U.S. officials when a carrier exceeds an established threshold of violations or is caught in a serious violation, like submitting false records of duty.

Canadian Trucking Alliance president David Bradley said "tens of thousands of companies" cross the border every year. He said many logbook violations are minor and clerical in nature and have "no bearing on fatigue," but even the industry organization said there's room for improvement.

"We are one of the few industries that share our workplace with the public, therefore we need continual improvement," Bradley said.

The U.S. has taken measures in recent years to tighten trucking regulations and crack down on violations in a bid to increase road safety and reduce the number of accidents.

It has stepped up enforcement, collected more fines, and is preparing to impose mandatory electronic logbooks to track the amount of time a driver spends behind the wheel.

In January, the U.S. federal trucking safety agency proposed a new rule that would require all interstate commercial truck and bus companies that are currently required to use logbooks to install electronic, on-board recorders to monitor driving hours.

The new rules are not yet final and would not be implemented immediately, but the CTA is concerned that Canada has already fallen behind.

## **Paper-based system dated**

The CTA has been calling on the federal and provincial governments to make changes to the paper logbook system since 2004.

## **Hours of service**

Across most of Canada, truckers are permitted to drive for up to 13 hours during the course of a day. In the U.S., they can drive for up to 11 hours in a 14-hour period, followed by 10 hours of rest.

In Canada, truckers can be on duty 70 hours in any consecutive, seven-day period. In the U.S., truckers can be on duty 60 hours in the same period, or 70 hours in eight days.

David Bradley, president of the Canadian Trucking Alliance (CTA), said he doesn't believe that Canadian hours of service rules need to change.

He said a number of factors contribute to driver fatigue, including nutrition, exercise, sleep habits and conditions like sleep apnea.

In its place, the industry organization would like to see a Canada-wide mandate that would require all trucking companies that are currently required to use a logbook to install some type of electronic recorder in their vehicles.

The trucking association and industry experts say Canada's current, paper-based system is inefficient, outdated and easily abused.

"We now live in an electronic world," Bradley said. "It doesn't make sense to be using a compliance system that's really rooted in the 1960s and 1970s."

He said a large number of Canadian trucking firms are engaged in cross-border business, which means many companies will have to comply with the changing U.S. rules and new demands for electronic monitoring.

"We need a regulatory regime in here, in Canada, to allow us to do that as well," he said.

The trucking alliance president defended the overall safety record of the trucking industry — saying most operators follow the rules — but he noted that it's easier to ignore the rules or "fudge the book" in a paper-based system.

Alison Smiley, a Toronto university professor and an expert on driver fatigue, said "just-in-time delivery" means many truckers are driving all night.

A range of factors play into deadly truck accidents, but Smiley said lack of sleep is a major concern — one that is often overlooked.

"We don't have a fatigue-alyzer the way we have a breathalyzer," she said, adding that some police forms don't even have a space to check off fatigue as a possible contributing factor in an accident.

"We're sacrificing people on the roads to have our strawberries on time and to not have to pay too much for them," Smiley said.

## **New rules needed**

Bradley said many Canadian companies have already introduced some sort of electronic-tracking system, but he argued that new rules around electronic recorders would help "level the competitive playing field" by requiring all companies to invest in electronic systems.

He said his organization has faced "some push-back" from governments over the issue of moving from a paper system to an electronic one, in part, because a new system would also require changes to the way rules are enforced.

"Just as people in normal walks of life get used to doing things one way, so does the enforcement community," he said.

Bradley said Canada's system is further complicated by the existence of both federal and provincial regulations. Canada has national regulations but provinces also have their own rules.

"It takes a long time to effect change in this country, that's simply the reality," he said.

A government working group started looking at trucking regulation issues several years ago. Bradley said it's not yet clear what type of changes will come in Canada, but he said one thing is certain — the existing rules

need better enforcement.

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