

## **Permit Type: Extended Drivers' Hours of Service (Federal)**

Under the provisions of Section 62 of the Federal *Commercial Vehicle Drivers Hours of Service Regulation*, SOR/2005-313, (CVDHSR) the Holder of this Permit is exempted from the requirements of sections 12 and 13(1) and (2) (being on duty and driving limits) and Section 14(3) of this regulation (being the daily off-duty requirements) provided the Holder of this Permit complies with the following conditions.

### **Conditions:**

- The Permit Holder must hold a valid Safety Fitness Certificate that displays an operating status of "Federal" issued by Alberta Transportation and Economic Corridors.
- The Permit applies only to the operation of regulated vehicles.
- At all times, the Permit Holder and their Drivers must be in compliance to all applicable transportation regulations both administrative and operational other than those specifically exempted by this Permit.
- This Permit is only valid when operating point-to-point in Alberta, or operating to, from, or within (list jurisdictions)

### **Definition Conditions:**

- 'authorized transportation activities' under this Permit must be due to adverse driving conditions or a declared emergency and involve only the conducting of:
  - Snow and ice clearing activities (including plowing and sanding) on highways that are the responsibility of a municipality or the Province of Alberta
  - Road and bridge repairs on highways that are the responsibility of a municipality or the Province of Alberta
  - Emergency repairs to fixed electricity, natural gas or water utilities
- 'adverse driving conditions' are those referenced in section 76(2) of the CVDHSR. They are considered to be rare and include severe winter weather conditions that make driving difficult. Such conditions may only occur a few times a year as a result of a winter storm causing heavy snow or ice that is beyond the normal operating capacities of the Permit Holder.
- 'emergency' includes:
  - assistance requested and declared by local police as an emergency;
  - a local state of emergency declared by an Alberta municipality; and
  - a disaster declared by the province of Alberta.

In every case, someone with the authority to declare an 'emergency' in accordance with section 76(1) of the federal CVDHSR, would have to make the decision and request the conducting of authorized transportation activities.

- 'hours of service' (HOS) refers to the maximum hours allowed by sections 12 and 13 of the CVDHSR, which limits a Driver's work shift and day to a maximum of 13 hours of driving and no driving after a maximum of 14 hours on duty.
- 'additional hours' refers to a maximum two hour extension of the hours allowed in section 76(2) of the CVDHSR (up to a maximum of 15 hours of driving time and 16 hours of on duty time) due to adverse driving conditions and emergency

situations. No additional hours are allowed in the Driver's cycle limits as specified in sections 26 and 27 of the CVDHSR.

- 'regulated vehicles' refers to commercial truck and truck-trailer combinations base-plated in Alberta and properly registered to the Permit Holder for, or which should be registered for, more than 4,500 kilograms.

### **General Conditions:**

- This Permit is binding upon the Permit Holder and all Drivers who drive under the direction and authority of the Permit Holder while performing authorized transportation activities. Therefore, the Permit Holder and all Drivers are jointly and severally responsible to ensure compliance with all the conditions contained within this Permit.
- The compliance of the Permit Holder and Drivers operating under the Permit will be monitored. The Permit will be cancelled if the Holder's or Driver's safety performance is no longer considered acceptable.
- Authorized transportation activities or other assistance requested by local police and declared as an 'emergency' is acknowledged as an event which would authorize a Driver to drive additional hours provided that:
  - a) the Driver's supervisor is informed and approves the request; and
  - b) arrangements to replace the Driver are made; and
  - c) the replacement Driver is compliant with hours of service requirements at the start of the Driver's work shift.
- Authorized transportation activities or other assistance required due to a local state of emergency declared by a municipality or a disaster declared by a provincial or territorial jurisdiction, and where a person with the authority requests authorized transportation activities be conducted, is acknowledged as an event which would authorize a Driver to drive additional hours.
- Use of the Permit either for adverse driving conditions or for emergencies resulting in a Driver driving additional hours must be documented both by the Permit Holder and on the Driver's log by their Driver. Information to be documented by the Permit Holder must include at least:
  - Permit number;
  - type of emergency;
  - name of person or organization declaring a local, provincial or national emergency, when applicable;
  - name of Driver;
  - name of supervisor who authorized use of the Permit;
  - vehicle license number;
  - event location;
  - event start date/time; and
  - event end date/time.

Information to be documented by the Driver on each log completed while the permit is being used must include at least:

- Permit number;
- type of emergency;
- supervisor's name who authorized use of the Permit;
- event start date/time; and

- event end date/time.

A written record of this documentation must be maintained for at least one year from the date the adverse driving conditions or the emergency event ended and made available to Permitting & Evaluation, if requested.

### **Driver/Employee Conditions:**

- Drivers of regulated vehicles are eligible to drive additional hours under the authority of this Permit only when considered necessary and only when considered safe to do so.
- Drivers, dispatchers and transportation safety management employees operating under or responsible for compliance to this Permit must have successfully completed hours of service and fatigue management training to ensure the safety and health of the public, the Driver, or the employees of the motor carrier are not or are unlikely to be jeopardized. This training must meet the specified standards as per the attached document entitled “Minimum Course Criteria for Hours of Service and Fatigue Management”.
- No Driver shall drive:
  - when their faculties are impaired and it is unsafe for the Driver to do so; or
  - where the Driver has not previously received the required training.
- When a Driver is authorized to drive additional hours under this Permit, they must immediately start using a log if they were utilizing the 160 kilometre radius exemption allowed by section 81(2) of the CVDHSR at the beginning of their work shift. The log must be brought up to date starting from when the Driver began their last period of 8 consecutive hours off duty and should be continued until use of the Permit is stopped.
- Drivers operating under this Permit must comply with all other applicable provisions of CVDHSR.

### **Permit Holder Conditions:**

- The Permit Holder shall comply with all other laws applicable to hours of service, labour, and transportation legislation.
- The Permit Holder must ensure compliance with all Driver and Permit Holder conditions contained within this Permit.
- The Permit Holder must ensure that all Drivers and supervisors who may be asked to use this Permit will participate in and successfully complete the specified training.
  - a) the Roadbuilders Safety Training System (RSTS) operational module 20, ‘Snowplow Operation’, if the Permit Holder is authorized to use this Permit for snow and ice clearing. Equivalent training will be acceptable if approved by the Director, Carrier Services, prior to the Permit being granted;
  - b) applicable fatigue management training;
  - c) training in the conditions of the Permit; and
  - d) all training requirements specified by any applicable transportation legislation.

- The Permit Holder shall have and implement a fatigue management program that addresses at least the following principles:
  - a) Driver responsibilities, including that Drivers are required to refuse to drive a regulated vehicle under this Permit when their faculties are impaired and it is unsafe for them to drive, or when they have not received the required training;
  - b) Permit Holder employees' (including dispatchers, supervisors, managers) responsibilities including ensuring that they must not request or require a Driver to drive a regulated vehicle under this Permit when the Driver's faculties are impaired and it is unsafe for them to drive or when the Driver has not received the required training;
  - c) carrier's internal monitoring of Drivers' hours of service compliance including having written policies in place and proof that the policies are being implemented (e.g. monthly reports of findings and actions taken);
  - d) how a Driver's readiness for work will be evaluated and monitored;
  - e) employee fatigue alertness training;
  - f) training in Hours of Service regulations; and
  - g) lifestyle management.

- The Permit Holder must investigate and document the findings of every traffic accident involving a vehicle registered to the Permit Holder for more than 4,500 kilograms that resulted 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 \$2,000 or more.

Those collisions found to have occurred while operating under this Permit must be evaluated to determine if the collision was preventable on the part of the Permit Holder and/or their Driver(s). Each evaluation must use the criteria established by the National Safety Council ([www.nsc.org](http://www.nsc.org)). Each evaluation and follow-up action(s) taken must be fully documented and retained by the Permit Holder for at least the current year and the following 4 years. Any collision considered non-preventable may be submitted to Alberta Transportation and Economic Corridors for verification (see <https://www.alberta.ca/collision-evaluations>). Verified non-preventable collisions will not be used to help determine the carrier's risk associated with operation under this Permit.

- A written record of any collision investigation, including any conclusions made and action(s) taken, must be maintained for at least one year from the date of the incident and made available to Permitting & Evaluation, if requested.
- The Permit Holder must ensure that a record is in each applicable employee file that they have satisfactorily completed the specified training in all required areas. Each training record must include at least the employee name, date training was completed, who conducted the training, and course title.
- 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.
- Regardless of whether all other conditions specified in the Permit are being complied with, no Permit Holder shall request, require or allow a Driver to drive:

- a) when the Driver's faculties are impaired and it is unsafe for the Driver to do so; or
- b) when the Driver has not received the required training.
- The Permit Holder must have and implement specific written policies and procedures included in their safety program to ensure that all conditions in this Permit are being complied with at all times. All documentation related to compliance with this condition must be made available to an authorized person when requested.
- The Permit Holder must ensure that all Drivers are provided with a copy of this Permit and are made aware of their obligations under this Permit and document these actions on each Driver's file.
- The Permit Holder must monitor the hours of service compliance of each Driver operating under this Permit and meet all requirements specified in Section 87 of the CVDHSR. Refer to the attached document entitled Monitoring Driver Compliance for an example of a monitoring program that meets these minimum requirements. This monitoring program must be effective at ensuring Drivers are in compliance at all times.
- The Director may require the Permit Holder to provide any other information that is deemed necessary in order to confirm compliance to this Permit or to any applicable transportation legislation.
- The Director may cancel this Permit for failure to comply with any of the provisions or conditions stated on the Permit or for general poor regulatory compliance by the Permit Holder.

**Permit Attachments:**

Minimum Course Criteria for Hours of Service and Fatigue Management  
Hours of Service Monitoring Standards Document