

## Appendix D: Safety Plan

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# SAFETY PLAN

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**CARRIER:**

DATE:

Approved:

Date: \_\_\_\_\_

Name: \_\_\_\_\_  
Manager, Motor Carrier Investigations Branch

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# Safety Plan

## Purpose

This safety plan applies to Manitoba carriers and their employees operating regulated vehicles that are trucks, tractors or trailers, or a combination of these vehicles, which have a registered gross vehicle weight or actual weight of 4,500 kilograms or more or a passenger carrying vehicle designed to carry 11 or more persons including the driver.

## Objective

To educate & promote carrier compliance and adherence to safety policies, regulations and laws pertaining to the transportation of people and goods.

## Authorized Driver

Authorized drivers include all employees that are permitted to operate regulated vehicles registered to the carrier. Authorized drivers include:

- Managers/Owners who drive
- Part-time or occasional drivers
- Company mechanics who test drive vehicles and/or drive part-time
- Safety staff who train and test drive drivers
- Lease/owner operators who have their vehicles registered to the carrier
- Contractors who have their vehicles registered to the carrier
- Volunteers and anyone else authorized to operate a carrier's vehicles

## Driver Records

The carrier will keep driver records for every person authorized to operate regulated vehicles, including owners and management. These records will include the following:

### Regulated Driver Qualification Records

- A driver's abstract (not older than 30 days) prior to hiring and every 12 months thereafter
- An annual driver fitness review within 30 days of the driver's abstract date to determine the driver's continued fitness upon 12 months of employment
- A record of conviction disclosure by the driver, within 30 days of the conviction date, including personal vehicles
- A record of accident disclosure by the driver, within 30 days of the accident date, including personal vehicles
- A copy of any training certificates issued to the driver for the period starting on the date the training certificate is issued and continuing until 2 years after it expires  
(Example: *Transportation of Dangerous Goods Regulations Certification under the Transportation of Dangerous Goods Act of 1992 – Part 6.6*)

### Recommended Driver Qualification Records

- A copy of the driver's valid driver license, including all documents deemed to be part of the driver's licence
- A Driver's License Disclosure Form
- A copy of the driver's employment application (signed and dated)
- If available, a driver's resume and any certificates/awards/accomplishments prior to hiring
- A road and/or written test evaluation document
- The driver's employment history for 3 years prior to hiring
- A record of all training undertaken by the driver related to the operation of a regulated vehicle and compliance safety, laws and regulations after hiring
- A record of any administrative penalties imposed on the driver

### **Regulated Accident & Convictions Reports**

- The carrier will maintain a written record of all authorized driver's accidents and convictions
- Each record will identify the driver, date and circumstances of the incident

### **Recommended Accident & Convictions Reports**

- The carrier will keep accident/conviction records separate from the notations on the driver's profile
- The carrier has a policy regarding corrective actions/discipline and preventative measures relating to incidents
- The carrier will review all accident/conviction reports for possible trends and/or preventative measures

### **Record Retention**

The carrier will keep all driver files at the principal place of business in Manitoba. These records will be:

- Retained for 2 years from the date they are created, established or received
- Available for inspection by a Peace Officer during the carrier's regular business hours

## **Hours of Service**

Drivers of regulated vehicles are limited to the number of hours they may work. Hours of service regulations define maximum times and minimum off-duty times for drivers of commercial vehicles (both truck and bus) in Canada. In Manitoba, the federal and/or provincial hours of service regulations apply to carriers who are required to hold a Safety Fitness Certificate including:

- Truck, tractor, trailer or any combination of them that has a registered gross vehicle weight in excess of 4,500 kg or a bus that is designed to carry 11 or more persons including the driver.

**Provincial** Driver's Hours of Service Regulations MR 72/2007 applies to intra-provincial carriers that have never crossed a provincial, territorial or international border.

**Federal** Commercial Vehicle Driver's Hours of Service Regulations SOR/2005-313 applies to extra-provincial carriers that have crossed a provincial border at least once.

## **Hours of Service Exemption**

Intra-provincial Hours of Service Regulation MR 72/2007 does not apply to the following vehicles:

- A vehicle used solely for personal transportation
- A limited-use regulated vehicle with a registered gross vehicle weight less than 6,800 kg and is not operated outside of Manitoba
- A farm truck that is registered in the farm trucks registration category
- A municipal transit bus
- A bus that is not a school bus and not used to transport passengers for compensation
- An emergency vehicle
- A hearse
- A Manitoba Hydro utility repair vehicle

## **Hours of Service Records**

Records of the daily driving and other work activities must be recorded in a prescribed format. Records must be maintained and made available to a Peace Officer or Inspector upon request.

## Hours of Service Guidelines – The Basic Rules

Day = 24-hour period; one log page

Core Rest = 8 consecutive hours of rest

Workshift = time between 2 Core rests

### On-Duty Time

- Any work for any motor carrier/responsible for load and/or vehicle
- Waiting for loading/unloading/inspection/servicing/repairs/fueling
- Travelling in commercial vehicle when not in sleeper berth

### Must Not Drive after accumulating

- 13 hours driving / 14 hours on-duty in a DAY
- 13 hours driving / 14 hours on-duty in a WORKSHIFT
- 16 total elapsed hours from beginning of WORKSHIFT

### Mandatory Rest = 10 hours per DAY

- At least 8 consecutive hours (Core rest)
- 2 more hours must be taken in blocks  $\geq 30$  minutes

### Cycle 1 (must declare on log)

- Max 70 hours on-duty in any 7-day period
- 24 consecutive hours off-duty in previous 14 days
- 36 consecutive hours off-duty to reset

### Cycle 2 (must declare on log)

- Max 120 hours on-duty in any 14-day period
- 24 consecutive hours off-duty before completing 70<sup>th</sup> on-duty hour
- 72 consecutive hours off-duty to reset

### Split Sleeper Berth Single Driver

- 2 SB periods, each  $\geq 2$  hours, total  $\geq 10$  hours
- Total driving, on-duty and elapsed time on both sides of each SB period  $\leq 13, 14$  and 16 hours

### Split Sleeper Berth Team Drivers

- 2 SB periods, each  $\geq 4$  hours; total  $\geq 8$  hours
- Total rest  $\geq 10$  hours each day
- Total driving, on-duty and elapsed time on both sides of each SB period  $\leq 13, 14,$  and 16 hours

## Requirement to Fill Out a Daily Log

A motor carrier shall require every driver to fill out a daily log that accounts for all of the driver's on-duty time and off-duty time for that day. The following information provides a brief summary for what must be included in a daily log.

**At the beginning of each day**, a motor carrier shall require that a driver legibly, and the driver shall enter legibly, the following information in a daily log, using the grid in the form as set out in Schedule 2:

- Date, start time (if different from midnight), name of driver, name of co-driver (*if applicable*)
- Driving cycle
- Licence plate and/or unit numbers
- Odometer reading
- Names and addresses of home terminal and principal place of business
- In the remarks section, if the driver was not required to keep a daily log before the beginning of the day, the off-duty and on-duty hours accumulated by the driver for each day during the previous 14 days.
- If applicable, declare deferral in the remarks section indicating day 1 or day 2 of the deferral

**The following information as it becomes known:**

- Beginning and ending time of each duty status
- Name of municipality or legal subdivision, province, state where a change of duty status occurs
- Total number of hours of each period of duty status (must equal 24 hours)
- Names and addresses of any other motor carriers the driver has been employed or otherwise engaged during the day

**At the End of the Day:**

- Total hours for each duty status
- Total distance driven by the driver that day, excluding personal use  
*Note: During personal use of a vehicle, no trailer may be hooked to the power unit*
- Ending odometer reading
- Sign the log attesting to the accuracy of the information recorded in it

## Off-Duty Logs Including Single and Multiple Days

Drivers, who have been off-duty for several days, may record their daily log information for multiple off-duty days on a single log book page provided that:

- The log page is fully completed with applicable/required information (e.g. driver name, addresses for home terminal and principle place of business, total hours for each duty status and total hours in the day)
- Geographical location where off-duty time began
- Cycle, start time of the day (if other than midnight), driver name/signature, etc.
- Dates of off-duty time
- The information on the log must be legible and accurate
- The days referenced as off-duty are consecutive dates
- The log page does not include information for a day that shows any duty status other than "off-duty time other than time spent in a sleeper berth"
- The days off can't be shown in the remarks section of a log completed on the first day the driver is back on-duty

## Electronic Recording Device

Electronic recording devices may be used if it contains the same information as a paper daily log and the device is capable of displaying:

- Driving time and on-duty time for each day
- Total on-duty time remaining and on-duty time accumulated in the elected cycle
- Time of each duty status change
- The driver is capable, if requested by an inspector, to prepare a handwritten daily log from the information stored in the device for each day the device was used
- The device automatically records when it is disconnected and reconnected and keeps a record of the time and date of these occurrences
- Time spent in each duty status
- Hard copies of the daily log generated from the information stored in the device is signed on each page by the driver attesting to its accuracy
- The carrier provides blank daily logs forms in the commercial vehicle for the drivers use
- If the devices fails the driver must revert to paper logs

## Records for Drivers Operating Within 160 Kilometers of Home Terminal

Authorized drivers are not required to prepare a daily log where **ALL** of the following are met:

### Extra-provincial motor carriers:

- The driver drives, or is instructed by the motor carrier to drive a commercial vehicle, within 160 km radius of the home terminal
- The driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off-duty time
- The motor carrier maintains accurate and legible records showing, for each day, the cycle and on-duty times
- Maintains records and support documents for a minimum of 6 months
- The driver is not driving under a permit or exemption

### Intra-provincial carriers:

- The driver operates, or is instructed by the motor carrier to drive a commercial vehicle, within 160 km radius of the home terminal
- The driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of off-duty time
- The motor carrier makes an accurate time record showing the driver's daily on-duty time, including the time each work shift starts and ends
- Maintains the record at its chief place of business in Manitoba for a period of 6 months
- The driver is not driving under a permit or exemption

**Note:** Timecards are sufficient to meet this regulation requirement

When a driver is not required to keep a daily log before the beginning of the day the driver shall in the "Remarks" section of the daily log record the number of hours of off-duty time and on-duty time that was accumulated by the driver for each day during the 14 days immediately before the beginning of the day.

## Distribution and Keeping of Daily Logs

- A driver shall, forward the original daily log and supporting documents to the home terminal within 20 days
- The carrier shall, deposit the daily logs and supporting documents at its principal place of business within 30 days after receiving them
- Keep the daily logs and supporting documents in chronological order for each driver for at least 6 months

## Monitoring Driver's Hours of Service Compliance

A motor carrier shall monitor the compliance of each driver with the hours of service regulation. A motor carrier that determines that there has been non-compliance shall take immediate remedial action and record the dates on which the non-compliance occurred and the actions taken.

## Vehicle Records

A carrier must ensure that all regulated vehicles are in safe operating condition before being operated on a highway, and that no vehicle is dispatched in unsafe condition. It is recommended that the carrier establish a separate file for each vehicle. Under the National Safety Code (NSC), a carrier must maintain the following records for a minimum of two years, and for six months after the vehicle leaves the motor carrier's control.

Each regulated vehicle registered to the carrier will have a vehicle file that includes the following information:

- Records of scheduled maintenance
- Records of repair including receipts and/or work orders
- Current Periodic Mandatory Vehicle Inspection (PMVI) report
- Commercial vehicle trip inspection reports (retained for six months)
- Manufacturer recall notices
- Commercial Vehicle Safety Alliance (CVSA) inspection reports
- Records of vehicles leaving the carriers' control

## Scheduled Vehicle Maintenance Program

A carrier must establish a system of preventative vehicle inspection, maintenance and repair for every regulated vehicle it operates, and keep an up-to-date maintenance and repair records for each vehicle under its control (including owner and lease operators that have their vehicles registered to the company).

**As a minimum**, the vehicle maintenance file must contain the following:

- Make, model, year and serial number (VIN) of the equipment
- Date and nature of every repair and maintenance activity (parts/repair invoices)
- Odometer, hubometer (if equipped), at the time of every service or repair
- Description of the type and frequency of scheduled maintenance and repairs to be undertaken on the equipment
- If owner and lease operators follow their own maintenance program, they must provide a monthly maintenance report to the carrier
- the carrier will ensure the owner or lease operator is following the maintenance and inspection program

## Effective Vehicle Maintenance and Inspection Programs Includes

- manufacturer's recommended schedule for oil and filter change and chassis lubrication
- checks of all fluids, lubricants, hoses and lines
- brakes (including compressor, tractor protection system and low-air warning, adjustment)
- steering system (including pinion, pitman arm and steering lash)
- tires, wheels and lug nuts, fuel tanks and caps
- batteries, lights, horn, windshield, mirrors, instrument and emergency equipment
- visual inspection of the engine and all axle units, integrity of the frame and welds
- overall walk-around to ensure that the vehicle is in good working condition
- Commercial Vehicle Trip Inspection, Periodic Mandatory Vehicle Inspection (PMVI)

## Scheduled Vehicle Maintenance and Inspection Program

The carrier must establish and maintain records of scheduled maintenance on all regulated vehicles. The carrier may consider the manufacturer's recommended maintenance schedule when determining their program. A copy of the program shall be readily accessible to employee (s) who administer the maintenance and inspection program.

### Power unit(s) – Truck

- a) Service intervals are conducted by  elapsed time  mileage
- b) Scheduled maintenance inspection is conducted every \_\_\_\_\_
- c) Maintenance (full service including oil change) every \_\_\_\_\_

### Trailer(s) and trailer converter dollies

- a) Service intervals are conducted by  elapsed time  mileage (*hubometer equipped*)
- b) Scheduled maintenance inspection is conducted every \_\_\_\_\_
- c) Maintenance (full service including greasing) every \_\_\_\_\_

### Power unit(s) – Bus

- a) Service intervals are conducted by  elapsed time  mileage
- b) Scheduled maintenance inspection is conducted every \_\_\_\_\_
- c) Maintenance (full service including oil change) every \_\_\_\_\_

## Maintenance Checklists

- a) The use of standardized checklists ensures the company has a standardized list of components being inspected by the technician systematically servicing the vehicle in question.
- b) Use of a standardized checklist holds the technician accountable for the inspection of the items on the list and ensures due diligence.

## Owner Operator Maintenance

- a) Ensure the company collects a current periodic mandatory vehicle inspection (PMVI) from the operator before date of hire.
- b) Each owner operator shall supply the company with maintenance records monthly - a suggestion would also include copies of supportive invoicing.
- c) Owner Operator maintenance policy should also include any specific requirements the company may have for servicing the equipment.

Any component identified as being in need of repair and/or maintenance will be serviced or repaired as required. The records documenting the maintenance will be retained in the appropriate vehicle file.

## Commercial Vehicle Trip Inspection

Commercial vehicle trip inspection is intended to ensure early identification of vehicle problems and defects, and to prevent the operation of vehicles with conditions that are likely to cause or contribute to a collision or vehicle breakdown.

### The carrier will ensure that

- the driver or other person inspects the vehicle and reports minor or major defects as required
- provide written or electronic inspection schedules that apply to the type of vehicle in use
- minor defects are repaired before the vehicles next scheduled inspection
- major defects are repaired before the vehicle is next driven on a highway
- retain the original inspection report and certification of major defect repairs for at least 6 months
- produce the inspection report to an inspector on demand

### The driver will ensure that

- possess the inspection schedule that applies to the vehicle being driven
- produce the inspection schedule to an inspector on demand
- Inspect the vehicle for minor or major defects every 24 hours that the vehicle is in service
- Monitor the vehicle for defects listed in the applicable schedule while driving
- Produce to an inspector on demand the inspection reports
- no commercial vehicle is driven on a highway while the vehicle has a major defect
- Submit the inspection report to the carrier within 20 days

### The person inspecting the vehicle will ensure that

- A legible written or electronic inspection report contains
  - ✓ The licence plate or unit number
  - ✓ Odometer reading (if equipped)
  - ✓ The carrier's name
  - ✓ Date and time of inspection
  - ✓ Location of inspection
  - ✓ Printed name of person who performed the inspection
  - ✓ Height and width of the vehicle and load (if applicable)
  - ✓ Minor and major defect information
  - ✓ Signature of person who performed the inspection (if other than the driver), and signature of the driver verifying the inspection
- Report major or minor defects to the carrier without delay

### No person shall make or permit another person to make an inspection report, that

- Is false or misleading
- Misrepresents or fails to disclose a major or minor defect
- Is false or misrepresents when, whether or by whom the repair of a defect was completed
- Is mutilated, defaced or altered

## Driver Must Monitor Vehicle While Driving

While driving a commercial vehicle, the driver must monitor its condition for defects listed in the inspection schedule that applies to that type of vehicle. If the driver notices or is made aware of defect at any time, the driver must record the defect in the inspection report and report it to the carrier.

## Distribution and Retention of Commercial Vehicle Trip Inspection Reports

- The driver must give the report to the carrier within 20 days after preparing or receiving the report
- The carrier must retain the original copy, and certification of repairs for at least six months after the date was prepared
- Produce reports to an inspector on demand

## Commercial Vehicle Trip Inspection Exemption

A written Commercial Vehicle Trip Inspection report is not required if:

- The vehicle is operated solely within 160 km of the place of business where the driver reports to work; **or**
- It is the only commercial vehicle (that is not a school bus) operated by the carrier, **and**
  - ✓ Its only driver is an individual
  - ✓ Who is also the carrier, or
  - ✓ Who controls the corporation that is the carrier

## Recommended Disciplinary Procedures

All disciplinary actions taken by the carrier should be progressive in nature. All actions taken, including verbal warnings should be documented.

Disciplinary action may be taken with a driver for any:

- Regulatory violations identified on the Carrier Profile, driver's abstract or through internal evaluations and audits.

As appropriate, disciplinary action may include:

- verbal warning (documented)
- Written warning
- Suspension
- Termination

The process may also require corrective measures, such as retraining. For severe violations that pose a significant risk to the public safety, a carrier may take action at any stage based on the severity of the violation. Where any form of disciplinary action is taken against a driver, this action should be documented and recorded in the driver's file.

## United States General Information

The following section contains basic information for operators of regulated vehicles in the United States. Operators should visit the U.S. Department of Transportation's (USDOT's) Federal Motor Carrier Safety Administration (FMSCA) website to verify this information on a regular basis as this information can change at any time.

Important: Operators must ensure that they know and understand the requirements of the jurisdictions where they are operating. The FMSCA website [www.fmsca.dot.gov](http://www.fmsca.dot.gov) has an interactive map which allows operators to click on a U.S. state and obtain links to U.S. state-specific regulatory information.

In addition, the FMSCA publishes a guide called *A Motor Carrier's Guide to Improving Highway Safety*, which is available on-line. It outlines in detail regulatory requirements for operating in the U.S.

## U.S. Driver Qualification Files

### The file must include

- Driver's application for employment
- Inquiry to previous employers — driving record for last 3 years;
- Annual inquiry and review of driving record;
- Annual driver's certification of violations and annual review;
- Driver's road test and certificate, or the equivalent to the road test;
- Medical examiner's certificate; and
- If granted, a waiver of physical disqualification for a person with a loss or impairment of limbs as specified in § 391.49.
- Refer to § 391.51 for a complete list of required driver qualification file documents.

## U.S. Drug & Alcohol Testing Program

The US Federal Motor Carrier Safety Administration (FMCSA), along with the US Department of Transportation (DOT), requires that persons subject to the commercial driver's license (CDL) requirements and their employers follow drug and alcohol testing rules. These rules include procedures for testing, frequency of tests, and substances tested for.

### This applies to

- Anyone employing commercial drivers to operate commercial vehicles on public roads within the United States
- Commercial drivers who operate commercial vehicles on public roads within the United States
- Interstate carriers
- Intrastate carriers
- Federal, State, and local governments
- Civic organizations (veteran transport, boy/girl scouts, etc.)
- Faith-based organizations

## U.S. Drug & Alcohol Training for Supervisors

If you operate vehicles that require a commercial driver's license on public roads within the U.S. and you have more than one employee in the company, you are required to obtain DOT supervisor training and certification as per FMCSA requirements.

## Declaration of Commitment to Transportation Safety

I/we acknowledge that a facility audit may be conducted on our operations at any time to measure our compliance to regulatory requirements. Should deficiencies be identified during the audit, I/we understand that sanctions may be imposed including but not limited to, the issuance of administrative penalties and adjusted Safety Fitness Rating.

I/we certify that the information disclosed is true and accurate. I/we acknowledge that providing false or misleading information may result in the suspension or cancellation of the Safety Fitness Certificate and/or vehicle registration. I/we acknowledge that providing false or misleading information may also result in being charged with offence(s) or administrative penalty(s).

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## Manitoba Resident Compliance Officer

The operator of a regulated vehicle must ensure that a person who resides in Manitoba is designated in writing to be responsible for promoting compliance by the operator and the operator's employees with The Highway Traffic Act and the regulations.

### Compliance Officer

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_