

National Safety Code

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BRITISH
COLUMBIA

Statement of Limitation

This booklet is intended as a guide only and, as such, has been written as a plain language summary to help you understand some of the laws in British Columbia that affect the National Safety Code Carrier Audit. You should refer to Division 37 of the **Motor Vehicle Act Regulations (MVAR)** for a full statement of the regulatory requirements. In the event of a conflict between this booklet and any provision of the above *Regulations*, the *Regulations* shall apply.

National Safety Code

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National Safety Code Background

The National Safety Code (NSC), a federal and provincial commercial motor vehicle initiative, was implemented in British Columbia in January 1989. At that time, five new elements were added: requirements for a valid safety certificate; hours of service records; trip inspection reports; requirements for carriers to retain safety records; and carrier audits.

Any carrier can expect an audit by a Carrier Safety Inspector who will review the carrier's record-keeping procedures and safety practices.

The purpose of this publication is to help carriers prepare for and gain a basic knowledge of the requirements of the British Columbia Carrier Audit Program.

The following information will explain the program objectives and goals, and identify the main elements of the audit.

Goals and Objectives of Carrier Audits

- To improve highway safety by providing information relating to the principles of the National Safety Code and safety regulations in British Columbia.
- To promote compliance with safety requirements and laws concerning the highway transportation of people and goods across British Columbia.
- To protect the public from potential hazards due to unqualified and/or fatigued drivers, improperly handled hazardous loads or unsafe equipment.
- To reduce accidents by examining motor carrier operations to ensure that they are complying with all relevant standards.

Audit Process

What is an Audit?

An audit is a review of a carrier's records and safety practices to determine if the carrier is complying with NSC requirements (as defined in the *Motor Vehicle Act* and *Regulations*). This brochure and the *Carrier Safety Guide* will help you to keep good records and to prepare for an audit.

Reasons for an Audit

Some of the reasons that an audit may be conducted are:

1. as a spot check to understand how well carriers are meeting their obligations
2. because of a carrier's poor on-road safety performance
3. at the request of an enforcement officer or agency
4. at the request of a carrier

Authority to Inspect Carrier Records

The *Motor Vehicle Act* and *Regulations* establish the responsibility of each carrier to keep and retain certain records. The Carrier Safety Inspector is authorized to enter a carrier's premises to review these records (*Motor Vehicle Act Regulations* 37.32 and 37.33) or require the records to be sent to a designated location (*MVA Regulations* 37.331).

Charges, written warnings or other sanctions may be issued for violations detected in an audit.

Minimum Standards

Compliance with the minimum requirements will be determined through a review of the carrier's records and operating policies. This will be done through a review of documentation. The audit will cover, but will not be limited to, the areas listed below. The Carrier Safety Inspector, through these records, will gain sufficient insight into a carrier's operation to determine compliance with NSC. The *Carrier Safety Guide* will help you set up and keep good records. The Guide is available from any weighscale or on the Ministry website at :
www.pssg.gov.bc.ca/cvse/reference/.

This booklet identifies the minimum record-keeping requirements for carriers in the following areas:

1. driver profile, training and development
2. hours of service
3. commercial vehicle maintenance
4. safety practices

Records about Driver

Carriers must ensure that the following records are kept for each driver:

1. A copy of the driver's abstract dated at time of hire and every 12 months thereafter.
2. Current year and previous 4 years of all reports of driver incidents (accidents, violations, and convictions). All accidents that involve human injury, death or property damage greater than \$1,000 must be included. These must be received from the driver within 15 days of incident.
3. Where applicable, the carrier must retain a copy of the issued TDG certificates for a period of 2 years from the certificate expiry date.

Records about Hours of Service

1. Daily logs and supporting documentation must be received from the driver within 20 days.
2. Daily logs and supporting documentation must be filed in a systematic manner within 30 days of receipt from the driver.
3. Daily logs and supporting documentation must be retained for at least 6 months.
4. Daily logs must contain the following information:
 - Date
 - Printed name of driver
 - Beginning-of-the-day odometer reading
 - Total distance driven during the day
 - Commercial motor vehicle licence plate or unit #
 - Name of every carrier the driver worked with, or for, during the day

- Address of either the home terminal or the principal place of business of each carrier the driver worked with, or for, during the day
 - Printed name of co-driver (if applicable)
 - If log does not start at the beginning of the day, start of the period (time) covered by the log must be entered.
 - Total number of hours spent in each duty status (i.e., on-duty work other than driving, off-duty, driving time and off-duty sleeper berth time). Added together, these must total 24 hours.
 - Signature of driver
 - Continuous line marked on graph to record each period of the driver's duty status
 - Name of the municipality or highway location, including the name of the jurisdiction, where each change in duty status took place
5. Carrier must obtain supporting documents with the daily logs and should ensure that the supporting documents agree with the daily logs.
 6. Carrier must monitor to ensure compliance with daily and cumulative total hours of service.
 7. Carrier must monitor to ensure compliance with daily hours of rest.

Records about Vehicle Maintenance

1. All vehicles must be inspected, maintained and repaired in accordance with the regulations.
2. All defects must be noted on trip inspection reports.
3. Repair person must sign and date trip inspection reports verifying that repairs were completed or that repairs were not required before the first trip of the next day.
4. Carrier must keep trip inspection reports for vehicles for a minimum of 3 months.
5. Carrier must ensure that manufacturer defects are corrected.

6. Carrier must keep vehicle maintenance records and inspection reports in a systematic manner for 3 years.
7. If a vehicle is disposed of, vehicle maintenance and inspection reports for that vehicle must be kept for 6 months.

Records and Knowledge about Safety Practices

1. The carrier's NSC number must appear on the registration document of each commercial motor vehicle operating within its control.
2. Carriers must maintain any safety plan and any scheduled vehicle maintenance plan that is applicable.

Cargo Insurance

Carriers operating for hire and transporting freight must have evidence of valid cargo insurance and be able to show documentation for whatever they transport, unless it is one of the following:

- Water or snow
- Milk and dairy being transported between farms and dairies
- Bulk petroleum products or bulk bituminous construction materials
- Logs, poles, piles, ties, shingle bolts, mine props, rough sawn lumber or fence posts
- Fuel wood, sawdust, hog fuel, pulp chips or Christmas trees.
- Bulk Coal, ore or ore concentrates
- Unset cement mix or bulk earth, rock, gravel or sand
- Bulk grain or grain screenings
- Hay, fruit, vegetables, turf or peat
- Fertilizers, animal manure or refuse
- Stumps or debris from demolished buildings

Bills of Lading/Shipping Records

All bills of lading and shipping records must be issued in accordance with Division 37.39 Motor Vehicle regulations and be kept with the carrier's records for at least 3 years.

Transport of Dangerous Goods

If a carrier transports dangerous goods, the following records must be retained:

1. Copy of drivers' Transport of Dangerous Goods training certificate issued must be retained for two years after expiry date.
2. Shipping papers that accompany Dangerous Goods loads must contain all required information.
3. Carrier must retain copies of Dangerous Goods documentation for 2 years.

Record Keeping Locations

A carrier must maintain the required documents at its principal place of business in the province or at another place approved by the Director, Commercial Vehicle Safety and Enforcement. A written request for approval of divided record-keeping locations or notice of a change in your record-keeping location can be made in writing to the manager, National Safety Code, CVSE, PO Box 9250 Stn Prov Govt, Victoria, BC V8W 9J2

Safety Rating

The results of an audit, together with the Carrier Profile status will determine a carrier's Safety Rating.

The Safety Rating is a standard that has been developed by the Canadian Council of Motor Transport Administrators (CCMTA) and adopted by the government of B.C. in its Motor Vehicle Regulations, Section 37.061. The Safety Rating is an indicator of the overall safety performance of a carrier.

How to Contact Us

If you have any questions regarding the information provided, please contact the following transport compliance staff:

Commercial Vehicle Safety and Enforcement (CVSE) Offices

Interior

Cranbrook	250-426-1262
Kamloops	250-851-3702
Kelowna	250-861-7381
Trail	250-364-0514

Lower Mainland

Surrey	604-575-3430
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Northern B.C.

Dawson Creek	250-784-2251
Prince George	250-561-5627
Terrace	250-638-6529

Vancouver Island

Nanaimo	250-751-7152
Victoria	250-952-0577

National Safety Code Program/Application Office

Telephone	250-952-0576
Fax	250-952-0578

Mailing address:

National Safety Code
CVSE
2nd Floor - 1117 Wharf Street
P.O. Box 9250 Stn Prov Govt
Victoria, B.C., V8W 9J2

Dangerous Goods Department

Telephone:	250-952-0577
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Driver License Information

Telephone in Victoria 250-978-8300

Toll Free: 1-800-950-1498

Motor Carrier Department

(Passenger, for-hire operating authority)

Phone: 604-453-4250

Fax: 604-453-4253