



Module 21

Inspections and Authority



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Things to think about ...

In order to ensure that drivers are following the rules specified in the *Federal Commercial Vehicle Drivers Hours of Service Regulations*, inspectors have the authority to enter a commercial vehicle or a motor carrier's home terminal or principal place of business to conduct an inspection.

Who is an inspector?

What authorities does an inspector have?

What documents does a motor carrier need to make available for inspection?

What will I learn in this module?

- Inspectors
- Inspector authority
- Documents required for inspection

Who is an inspector?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 96 Proof of Authority*

Two groups of officers are “inspectors” under the *Federal Commercial Vehicle Drivers Hours of Service Regulations*:

- Peace officers
- Any other person designated by a director. In Alberta, the provincial director has designated Commercial Vehicle Enforcement Officers, Carrier Services Investigators and Vehicle Safety Investigators as inspectors. Therefore, in addition to enforcing Alberta legislation, these officers and investigators enforce the *Federal Commercial Vehicle Drivers Hours of Service Regulations*.



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What authorities does an inspector have?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 1 Interpretation*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 97 Authority to Enter Premises for an Inspection*

Inspectors have the following authorities:

- During business hours, an inspector can enter a motor carrier's home terminal or principal place of business to inspect daily logs, supporting documents and other relevant records. Some examples of supporting documents include:
 - Fuel, toll and ferry receipts
 - Accommodation and meal receipts
 - Shipping documents, manifests, trip envelopes, bills of lading
 - Any enforcement documents (violation reports, notice and orders, CVSA reports)
- At any time, an inspector can stop and enter a commercial vehicle to inspect daily logs and supporting documents (refer to Module 17).
- At any time, an inspector can stop a commercial vehicle and enter its sleeper berth to verify that the sleeper berth meets sleeper berth requirements (refer to Module 8 for sleeper berth requirements).
- No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations.

What documents does a motor carrier need to make available for inspection?



Legislative References:

- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Section 99 Production of Daily Logs and Supporting Documents*
- *Federal Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313) Schedule 3 Receipt*

At the request of an inspector, during business hours and at a place specified by an inspector, a motor carrier must immediately make available for inspection the following:

- Daily logs, supporting documents and other relevant records.

Supporting documents for drivers are different from supporting documents for motor carriers. For drivers, supporting documents are all the documents in their possession such as receipts and bills of lading. Refer to Module 17 for supporting documents that a driver must make available for inspection.

For motor carriers, supporting documents include all business documents and records (handwritten or electronic) maintained by the motor carrier. These documents help to verify information on the driver's daily log and / or record of duty status. If a motor carrier maintains these records at locations other than the principal place of business, the motor carrier must forward them immediately to the principal place of business upon request of an inspector. A list of supporting documents is on the page 6.

- Any permit under which the driver is currently operating or, if the inspection involves a prior period, any permit under which the driver was operating



The inspector will do the following:

- Immediately return the permit if it is a current permit and provide a receipt for any expired permit as well as for the daily logs, supporting documents and other relevant records. The format of the receipt may vary. A sample receipt is on page 7.
- Return expired permits, daily logs, supporting documents and other relevant records within 14 days after receiving them

Examples of Supporting Documents for a Motor Carrier	
Bills of lading	Lessor settlement sheets
Carrier profiles	Over / short and damage reports
Freight bills	Agricultural inspection reports
Dispatch records	CVSA reports
Driver call-in records	Accident reports
Gate record receipts	Telephone billing statements
Weight/Scale tickets	Credit card receipts
Fuel receipts	Driver fax reports
Fuel billing statements	On-board computer reports
Toll receipts	Border crossing reports
International registration plan receipts	Custom declarations
International fuel tax agreement receipts	Traffic citations
Trip permits	Overweight / oversize reports and citations
Port of entry receipts	Electronic records stored in computers by a consulting company or service provider
Cash advance receipts	
Delivery receipts	Other documents directly related to the motor carrier's operation which are retained by the motor carrier in connection with the operation of its transportation business
Lumber receipts	
Interchange and inspection reports	



SAMPLE RECEIPT

It is hereby acknowledged that, pursuant to subsection 98(4) or paragraph 99(2)(a) of the *Commercial Vehicle Drivers Hours of Service Regulations*, the following daily logs, supporting documents and other records were provided by

(Name of person)
at
(Number, street, municipality, location, province of motor carrier)
on
(Day, month, year)
namely
(Description of daily logs, supporting documents and records received)
Dated at
(Municipality, location)
on
(Day, month, year)

Inspector's signature



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) Describe the authorities that an inspector has to enter a motor carrier's home terminal or principal place of business.

- 2) Describe the authorities that an inspector has to stop and enter a commercial vehicle.

- 3) Identify the documents that a motor carrier needs to make available for an inspection.



Answers to Module Self-Check Questions

- 1) Describe the authorities that an inspector has to enter a motor carrier's home terminal or principal place of business.
 - During business hours, an inspector can enter a motor carrier's home terminal or principal place of business (other than living quarters) to inspect daily logs, supporting documents and other relevant records
 - No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations
- 2) Describe the authorities that an inspector has to stop and enter a commercial vehicle.
 - At any time, an inspector can stop and enter a commercial vehicle, except for its sleeper berth, to inspect daily logs and supporting documents
 - At any time, an inspector can stop a commercial vehicle and enter its sleeper berth to verify that the sleeper berth meets sleeper berth requirements (refer to Module 8 for sleeper berth requirements)
 - No person can obstruct or hinder, or knowingly make any false or misleading statements whether orally or in writing to a director or inspector under these Regulations
- 3) Identify the documents that a motor carrier needs to make available for an inspection.
 - Daily logs, supporting documents and other relevant records
 - Any permit under which the driver is / was operating



Notes: