

# Module 23 Enforcement Action



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# Things to think about ...

Inspectors need to ensure that commercial vehicle drivers are operating in compliance with the Federal *Commercial Vehicle Drivers Hours of Service Regulations*. Inspectors can use a five-step guide to check for compliance with the Regulations. If an inspector finds that a driver is not operating in compliance with the Regulations, the inspector can proceed with enforcement action.

How can an inspector check for compliance?

What happens if a driver is not in compliance?

# What will I learn in this module?

- ✓ Compliance checks
- ☑ Enforcement action



# How can an inspector check for compliance with the Regulations?

An inspector can use the following five-step guide to check for compliance with the Regulations:

- 1) Ensure the Log Is Current to the Last Change of Duty Status
- 2) Ensure the Logbook Is True and Accurate
- 3) Check the Day
- 4) Check the Work Shift
- 5) Check the Cycle

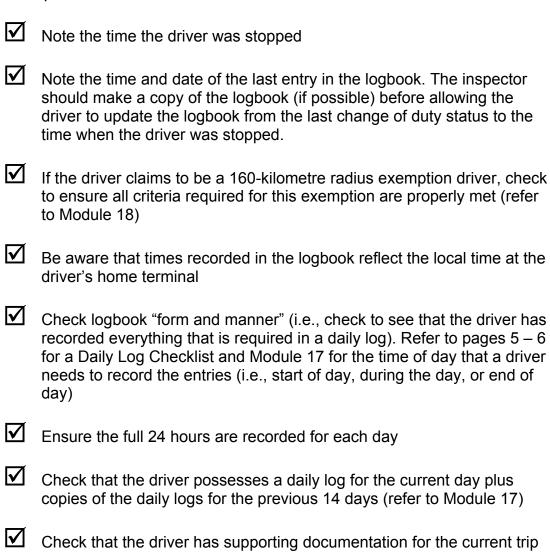


Module 23: Enforcement Action



# Step 1 - Ensure the Log Is Current to the Last Change of Duty Status

When an inspector obtains a logbook from a driver, the inspector should follow these steps:



Module 23: Enforcement Action



Daily Log Inspection Checklist				
Item	Requirements			
Current	Record is current to the last change of duty status (refer to Module 4)			
Handwriting	Handwritten entries are legible and in the driver's own handwriting			
Date	Month, day, and year for the beginning of each 24-hour period			
Start time	Hour at which the day begins, if different from midnight			
Cycle	Cycle that the driver is following (i.e., Cycle 1 or Cycle 2) Note: Drivers operating under an oil well service vehicle permit do not need to record the cycle (refer to Module 10)			
Odometer	Odometer reading of each commercial power unit operated by the driver at the start and end of each day			
Distance Driven	Total distance driven within a 24-hour period (excluding any distance driven for personal use) for completed days			
Vehicle Identification	Unit number(s) and / or license plate numbers for each truck or tractor driven during a 24-hour period			
Carrier Identification	Name(s) and address(es) of the home terminal and principal place of business of every motor carrier(s) for whom the driver will work during the day			
Driver Identification	Name of the driver maintaining the log is legible on the daily log			
Co-driver Identification	If applicable, the name of the co-driver is on the log			
Driver's Signature	Driver must sign the daily log to certify that it is accurate			
Duty status hours	Off-duty time, other than time spent in a sleeper berth; Off-duty time spent in a sleeper berth; Driving time; On-duty time, other than driving time recorded to the nearest 15-minute increment			
Time Base	Covers a full 24-hour period based on the local time of the driver's home terminal			

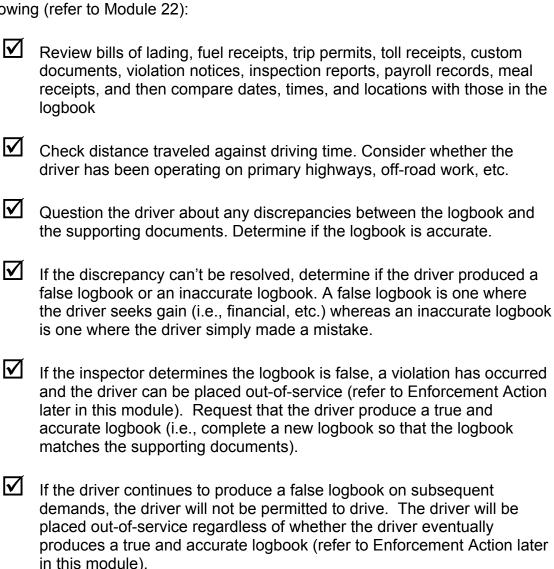


Daily Log Inspection Checklist				
Item	Requirements			
Total Hours	Total hours in each duty status recorded to the right of the graph grid and the total equals 24 hours			
Remarks	Municipality or location on a highway or in a legal sub-division and the province or state for each change in duty status			
	Emergency or adverse driving conditions that may account for an extension of the daily limits (refer to Module 14).			
	If the driver was not required to keep a daily log before the current day (i.e., was using the radius exemption), the remarks include the total number of hours of off-duty time and of on-duty time for each day during the previous 14 days			
	If applicable, the remarks include use of the off-duty time deferral and whether the driver is driving under Day 1 or Day 2 of the deferral			



# Step 2 - Ensure the Logbook Is True and Accurate

An inspector should check for evidence of a falsified logbook by reviewing the following (refer to Module 22):



Once the driver produces a true and accurate logbook, continue with steps 3 - 5 and determine if the driver has exceeded any of the daily, work shift or cycle limits

Module 23: Enforcement Action



# Step 3 – Check the Day

In Step 3, the inspector must determine if the driver is operating within the daily limits and requirements (refer to Module 5):

- No driving after 13 hours driving
- No driving after 14 hours on-duty
- At least 10 hours off-duty before driver can drive again
  - 8 consecutive off-duty hours (i.e., core rest period)
  - 2 additional hours off-duty (blocks ≥ 30 minutes) that are not part of 8 consecutive hours

However, if the driver indicated on the log that he / she used the deferral of offduty time option (refer to Module 7), the inspector must determine if the driver is operating within the following limits and requirements:

- Total driving time in 2 days ≤ 26 hours
- Total off-duty time in 2 days ≥ 20 hours
- At least 8 consecutive hours off-duty in Day 1 and 10 consecutive hours plus 2 additional hours off-duty in Day 2

The inspector must check each day of the driver's daily log to determine if there are any daily limit or requirement violations. If there is a violation, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).





# Step 4 – Check the Work Shift

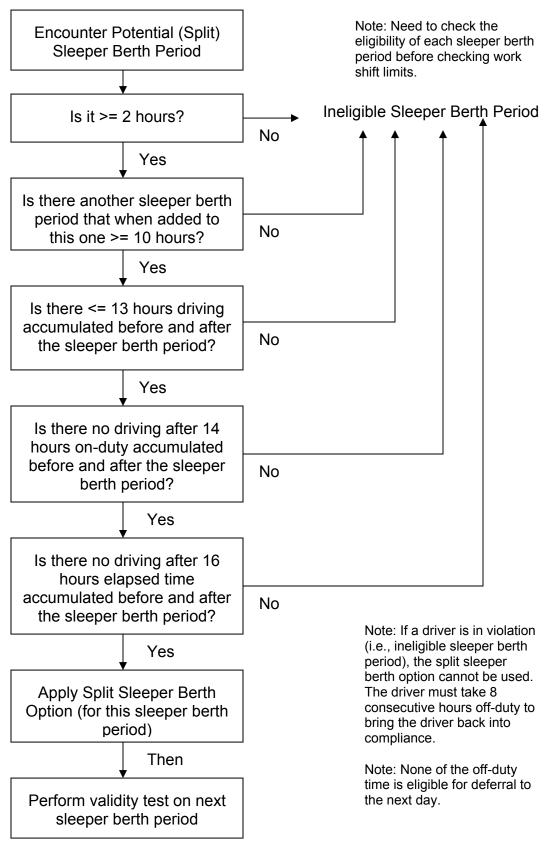
In Step 4, the inspector needs to check for compliance with work shift limits and requirements:

Туре	Work Shift Limits and Requirements		
No sleeper berth (refer to Module 6)	V	No driving after 13 hours driving in a work shift	
,	V	No driving after 14 hours on-duty in a work shift	
		No driving after 16 hours elapsed time (includes all time in work shift)	
Single driver using a sleeper berth (refer to Module 8)	$\overline{\mathbf{V}}$	No driving after 13 hours driving on either side of each eligible sleeper berth period	
,	$\overline{\mathbf{V}}$	No driving after 14 hours on-duty on either side of each eligible sleeper berth period	
* Single Driver Sleeper Berth Reference Guide is on page 10		No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)	
is on page 10		(Eligible sleeper berth period ≥ 2 hours and total for 2 eligible sleeper berth periods ≥ 10 hours)	
Team drivers using a sleeper berth (refer to Module 8)	V	No driving after 13 hours driving on either side of each eligible sleeper berth period	
,		No driving after 14 hours on-duty on either side of each eligible sleeper berth period	
* Team Drivers Sleeper Berth		No driving after 16 hours elapsed time on either side of each eligible sleeper berth period (excluding time in eligible sleeper berth period)	
Reference Guide is on page 11		(Eligible sleeper berth period ≥ 4 hours and total for 2 eligible sleeper berth periods ≥ 8 hours. Require 2 additional hours of off-duty time.)	

An inspector must check every work shift in the driver's daily log to determine if there are any work shift or core rest violations (refer to Core Rest Options on page 12). If there is a violation, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).

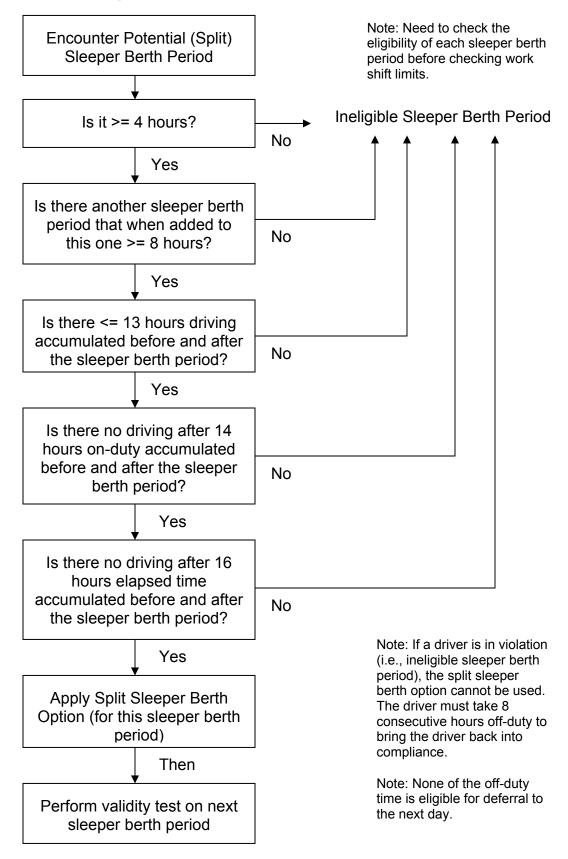


## Single Driver Sleeper Berth Reference Guide





# **Team Drivers Sleeper Berth Reference Guide**





Core Rest Options					
Туре	Option	Description			
Single Driver – No Sleeper Berth	1	8 consecutive and uninterrupted hours off-duty			
Single Driver – Sleeper Berth	1	10 consecutive and uninterrupted hours off-duty in the sleeper berth			
	2	Two separate eligible sleeper berth periods that total 10 hours, with each period in the sleeper berth a minimum of 2 hours duration			
Team Drivers – Sleeper Berth	1	8 consecutive and uninterrupted hours off-duty in the sleeper berth			
	2	Two separate eligible sleeper berth periods that total 8 hours, with each period in the sleeper berth a minimum of 4 hours duration			



# Step 5 - Check the Cycle

In addition to the daily and work shift rules, the inspector needs to check for compliance with the cumulative cycle limits and requirements. A driver can operate under one of two cycles (refer to Module 9):

- Cycle 1 limit of 70 hours on-duty time over a period of 7 consecutive days
- Cycle 2 limit of 120 hours of on-duty time over a period of 14 consecutive days (with at least 24 consecutive hours off-duty time before reaching 70 hours of on-duty time)
- Day Off Regardless of Cycle 24 consecutive hours off-duty in preceding 14 days

An inspector must check the driver's daily log to determine if there are any cycle violations. An inspector can use the following job aids to check for cycle violations:

- Cycle 1 Check or Job Aid on pages 14 16
- Cycle 2 Check or Job Aid on pages 17 20

If there is a violation, the inspector should check to see if the driver is operating under a special permit (refer to Modules 10 - 13 for further information regarding special permits). If so, the inspector needs to check for compliance with the terms and conditions of the permit.

If there is a violation and the driver is not operating under a special permit, the inspector may proceed with enforcement action (refer to Enforcement Action later in this module).



# Cycle 1 Check (70 hours in 7 days)

If a driver is operating under Cycle 1, an inspector can check for compliance using the following:

Step	Task	Example		
1	On a sheet of paper, write the current date	3/15		
	and the previous six days.	3/16		
		3/17		
		3/18		
		3/19		
		3/20		
		3/21		
2	List the sum of the driving hours AND on-duty	3/15 6 hours		
	hours for each day.	3/16 14 hours		
	Calculate the total hours.	3/17 12 hours		
		3/18 11 hours		
		3/19 13 hours		
		3/20 9 hours		
		3/21 <u>12.5 hours</u>		
		TOTAL 77.5 hours		
3	If the total is less than or equal to 70 hours, there is no violation.	77.5 minus 70 hours equals 7.5 hours		
	If the total is greater than 70 hours, there may be a violation. In any case, the driver may not drive again until the total is under 70 hours.			
4	To determine if there is a violation, subtract 70 from the total. In the driver's daily logs,	Check driver's daily log on 3/21		
	count back (driving and on-duty hours only) the number of hours to determine the point where the driver reached the 70 <sup>th</sup> hour. Any driving time from that point forward is a	Driver reached 70 <sup>th</sup> hour at 5 <sup>th</sup> hour (driving and on-duty hours only)		
	violation.	Any driving time from that point forward is a violation.		



If a driver exceeds the Cycle 1 limit, the driver must stop driving immediately. An inspector can determine the date and time that a driver can drive again by using the following calculations:

- 1) List the next calendar day on your paper.
- 2) Subtract the top number of hours from the total hours.
- 3) If the total hours are less than 70 hours, the driver may drive on that day. If not, continue, until the number is less than 70. Once the number is less than 70, the driver may drive only the number of hours that will bring the total back up to 70.

Date	On-Duty	Total Hours Accumulated
3/15	6 hours	
3/16	14 hours	
3/17	12 hours	
3/18	11 hours	
3/19	13 hours	
3/20	9 hours	
3/21	12.5 hours	3/15 to 3/21 = 77.5 hours (over 70-hour limit)
3/22	0 hours	3/16 to 3/22 = 71.5 hours (over 70-hour limit so driver is not eligible to drive)
3/23		3/17 to 3/23 = 57.5 hours so driver is eligible to drive a maximum of 12.5 hours (starting at 00:01 on 3/23) (i.e., 57.5 hours + 12.5 hours = 70 hours)

Once the driver has completed the minimum time required for off-duty or off-duty time in a sleeper berth, the driver may drive again.

The driver also has the option to take 36 consecutive hours of off-duty time to reset the cycle. In some cases, this reset period may be less than the number of hours that a driver has to wait until the driver is under the 70-hour limit. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).



The inspector may also use the following job aid:

Number of	Calendar	Total on-	Total hours
days in Cycle	date	duty hours	accumulated
7		•	
6			
5			
4			
3			
2			
1			

Total Hours_	<del></del>
Hours Over	
Date eligible	to drive
for	hours



# Cycle 2 Check (120 hours in 14 days)

If a driver is operating under Cycle 2, an inspector can check for compliance using the following:

Step	Task	Exam	nple		
1	On a sheet of paper, write the	3/15		3/22	
	current date and the previous thirteen days.	3/16		3/23	
	amiosii aayo.	3/17		3/24	
		3/18		3/25	
		3/19		3/26	
		3/20		3/27	
		3/21		3/28	
2	List the sum of the driving hours	3/15	6 hours	3/22	0 hours
	AND on-duty hours for each day.	3/16	9 hours	3/23	13 hours
	Calculate the total hours.		11 hours	3/24	12 hours
		3/18	12.5 hours	3/25	9 hours
		3/19	13 hours	3/26	5 hours
			12 hours	3/27	13 hours
			6.5 hours	3/28	8 hours
				TOTA	L130 hours
3	If the total is less than or equal to 120 hours, there is no violation.	130 minus 120 hours equals 10 hours			quals 10
	If the total is greater than 120 hours, there may be a violation. In any case, the driver may not drive again until the total is under 120 hours.				
4	4 To determine if there is a violation, subtract 120 from the total. In the driver's daily logs, count back (driving and on-duty hours only) the number of hours to determine the point where the driver reached the		k driver's da	ily log	on 3/27 and
			r reached 12 (driving and		
	120 <sup>th</sup> hour. Any <b>driving time from that point forward is a violation.</b>	Any driving time from that point forward is a violation.			that point



Step	Task	Example			
5	In addition, the inspector must	3/15	6 hours	3/22	0 hours
	check the off-duty requirement for Cycle 2.	3/16	9 hours		
	Add the daily on-duty hours until the	3/17	11 hours		
	total equals 70 hours.	3/18	12.5 hours		
	If the driver took at least 24 consecutive hours off-duty time before reaching 70 hours of on-duty time, there is no violation.	3/19	13 hours		
		3/20	12 hours		
		3/21	<u>6.5 hours</u>		
	If the driver did not take at least 24 consecutive hours off-duty time after reaching 70 hours of on-duty time, there is a violation.		70 hours		

Note: The driver cannot exceed 70 hours at <u>any</u> time without taking 24 consecutive hours of off-duty time. For example, if a Cycle 2 driver took 24 hours off after 15 hours on-duty, the driver would have to take <u>another</u> 24 hours off-duty before exceeding the 85<sup>th</sup> hour on-duty.



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If a driver exceeds the Cycle 2 limit, the driver must stop driving immediately. An inspector can determine the date and time that a driver can drive again by using the following calculations:

- 1) List the next calendar day on your paper.
- 2) Subtract the top number of hours from the total hours.
- 3) If the total hours are less than 120 hours, the driver may drive on that day. If not, continue, until the number if less than 120. Once the number if less than 120, the driver may drive only the number of hours that will bring the total back up to 120.

Date	On-duty	Total Hours Accumulated
3/15	6 hours	
3/16	9 hours	
3/17	11 hours	
3/18	12.5 hours	
3/19	13 hours	
3/20	12 hours	
3/21	6.5 hours	
3/22	0 hours	
3/23	13 hours	
3/24	12 hours	
3/25	9 hours	
3/26	5 hours	
3/27	13 hours	
3/28	8 hours	3/15 to 3/28 = 130 hours (over 120-hour limit)
3/29	0 hours	3/16 to 3/29 = 124 hours (over 120-hour limit so driver is not eligible to drive)
3/30		3/27 to 3/30 = 115 hours so driver is eligible to drive a maximum of 5 hours (starting at 00:01 on 3/30)
		(i.e., 115 hours + 5 hours = 120 hours)

Once the driver has completed the minimum time required for off-duty or off-duty time in a sleeper berth, the driver may drive again.

The driver also has the option to take 72 consecutive hours of off-duty time to reset the cycle. In some cases, this reset period may be less than the number of hours that a driver has to wait until the driver is under the 120-hour limit. After the reset period, the driver starts a new cycle and resumes driving (i.e., on-duty time starts from zero).



The inspector may also use the following job aid:

Number of days in Cycle  14  13  12  11  10  9  8  7  6  5  4  3  2  11				
14         13         12         11         10         9         8         7         6         5         4         3         2	Number of	Calendar	Total on-	Total hours
13 12 11 10 9 8 7 6 5 4 3 2		date	duty hours	accumulated
12 11 10 9 8 7 6 5 4 3	14			
11 10 9 8 7 6 5 4 3	13			
10 9 8 7 6 5 4 3 2	12			
9 8 7 6 5 4 3	11			
8 7 6 5 4 3 2 2	10			
7 6 5 4 3 2	9			
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5 4 3 2	7			
4 3 2	6			
3 2	5			
2	4			
2	3			
1				
	1			

Check for 70<sup>th</sup> Hour Qualification Check for 24 consecutive hours off-duty in preceding 14 days

Total Hours_	<del> </del>
Hours Over	<del></del>
Date eligible	to drive
for	hours

# What enforcement action is available to an inspector?

If an inspector determines that a driver is operating in violation of the Federal Commercial Vehicle Drivers Hours of Service Regulations, the inspector has the discretion to choose the level of enforcement action. Depending on the situation and agency policies, the inspector can choose one of the following enforcement actions:

- Issue a verbal warning to the commercial vehicle driver explaining the violation(s)
- Issue a written warning (Commercial Vehicle Inspection Report) to the commercial vehicle driver outlining the violation(s). This report can also serve as an out-of-service declaration (refer to Module 20).

The main purpose of issuing an out-of-service declaration is to remove fatigued drivers from the highway. When a driver has not had the required off-duty time or has exceeded maximum driving times, the driver is a safety risk, and the inspector has the authority and responsibility to remove the driver from the highway before a collision occurs.

An inspector can use the following wording for an out-of-service declaration:

On (date) (time), (driver name) employed by (name of company) is hereby placed out-of-service in accordance with section 91 of the Commercial Vehicle Drivers Hours of Service Regulation, SOR/2005-313. (driver name) is not permitted to operate a commercial vehicle until (time) (date) in accordance with this out-of-service declaration and Regulation.

A driver cannot drive a commercial vehicle while subject to an out-of-service declaration. The length of time that a driver is out-of-service varies depending on the violation (refer to Out-of-Service Summary on page 23). The driver can resume driving when the driver is no longer in violation of the Federal *Commercial Vehicle Drivers Hours of Service Regulations* or related legislation.

It is important to note that an inspector can only issue an out-of-service declaration for a current violation. If an inspector identifies a past violation, the inspector can lay a charge but not place the driver out-of-service.



Issue an appearance notice to the driver and then complete a long-form information formally charging the driver with the violation(s). The inspector needs to have the long-form information reviewed and sworn by a Justice of the Peace. Sample appearance notice and sample long-form information follow on pages 24 - 27. The driver will appear in Provincial Court and a judge will determine the penalty for the violation(s).



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# **Out-of-Service Summary**

Violation	Section	Out-of-Service
Drive a commercial vehicle when driver's faculties are impaired to the point where it is unsafe for the driver to drive	Sec. 4(a)	10 consecutive hours
Drive a commercial vehicle when driving jeopardizes the safety or health of the public, driver or employees of the motor carrier	Sec. 4(b)	10 consecutive hours
Drive a commercial vehicle after accumulating 13 hours of driving time in a day	Sec. 12(1)	10 consecutive hours
Drive a commercial vehicle after accumulating 14 hours of on-duty time in a day	Sec. 12(2)	10 consecutive hours
Drive a commercial vehicle after 16 hours of time have elapsed between the conclusion of the most recent period of 8 or more consecutive hours of off-duty time and the beginning of the next period of 8 or more consecutive hours off-duty time	Sec. 13(3)	Number of hours needed to correct the failure
Fail to take at least 10 hours of off-duty time in a day	Sec. 14(1)	Number of hours needed to correct the failure
Drive after accumulating 70 hours of on-duty time during any period of 7 days (Cycle 1)	Sec. 26	Number of hours needed to correct the failure
Drive after accumulating 120 hours of on-duty time during any period of 14 days (Cycle 2)	Sec. 27(a)	Number of hours needed to correct the failure
Drive after accumulating 70 hours of on-duty time without having taken at least 24 consecutive hours of off-duty time	Sec. 27(b)	Number of hours needed to correct the failure
Keep more than one daily log in respect of any day	Sec. 86(1)	72 consecutive hours
Enter inaccurate information in a daily log or falsify, mutilate or deface a daily log or supporting documents	Sec. 86(2)	72 consecutive hours
Fail to immediately produce for inspection daily logs, supporting documents and other relevant records for current trip and preceding 14 days	Sec. 98(1)	72 consecutive hours

(Last) (non de familie)



To: Name . À: Nom



c 609551

Appearance Notice
Citation à comparaître

issued by s. Peace Officer to a person not yet charged with an offence of the party and personne of the party as encore inculpée d'infraction.

(First) (pronom)

Form 9 Criminal Code Sections 496 and 497

(middle) (aums prénom)

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Court / Tribunal





# Information On Behalf of Her Majesty The Queen Dénonciation Au nom de Sa Majesté la Reine

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				Jones.	_
	FILE#				_

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occupation of informant	of Commercial Vehicle Enforcement, All	berta Infrastructure and Transportation	For Administrative
Insérer le nom	de		purposes only. Does not form
complet, le domicile et la profession ou l'occupation du dénonciateur	hereinafter called the Informant.  THE INFORMANT SAYS THAT he has reasonable grounds to believe and does believe that	ci-après appelé le d'enonciateur. LE DÉNOMNATEUR NÉCLARE QU' il a des n raisonnavies de croire et qu'il croit que	part of the charge. Espace réservé à fadministration. Ne fait pas
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	in the Province of Alberta,		
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	day, contrary to Section 12(1) of the Comm	nercial Vehicle Drivers Hours of Service	Regulations,
	2005 SOR/2005-313, thereby committing a	n offence contrary to Section 18 of the N	Notor Vehicle
	Transport Act 1987, R.S. c29.		
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J 2682 Rev May 99 E-WP 6.1





# Information On Behalf of Her Majesty The Queen Dénonciation Au nom de Sa Majesté la Reine

Docket N	lo. Nº de i	ôle			
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CASE	FILE #	<b>#</b> :			

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	in the Province of Alberta,	1,	
	DID UNLAWFULLY drive a commercial vehicle	le after accumulating 14 hours of on-	duty time in a
	day, contrary to Section 12(2) of the Commerce	sial Vehicle Drivers Hours of Service	Regulations,
	2005 SOR/2005-313, thereby committing an o		
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J 2682 Rev May 99 E-WP 6.1





# Information On Behalf of Her Majesty The Queen Dénonciation Au nom de Sa Majesté la Reine

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ation of ant	of Commercial Vehicle Enforcement, A	lberta Infrastructure and Transportation	For Admir
er le nom let, micile et la	hereinafter called the Informant.	ci-après appelé le dénonciateur	purpo Does part o charg
ssion ou pation du nciateur	THE INFORMANT SAYS THAT he has reasonable grounds to believe and does believe that	LE DÉNONCIATEUR DÉCLARA QU'VI a des q raisonnaires de chire et qu'il croit que	cotifs Espain
	Name in full le nom complet or né(e) le year année month frois stay jos de	Vale Hamm	Female Femme
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	in the Province of Alberta,		
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	the conclusion of the most recent period o	8 or more consecutive hours of off-duty	time and the
	beginning of the next period of 8 or phore of	consecutive hours off-duty time, contrary	to Section
	13(3) of the Commercial Vehicle Drivers H	lours of Service Regulations, 2005 SOR/	2005-313,
	thereby committing an offence contrary to	Section 18 of the Motor Vehicle Transpo	rt Act 1987,
	R.S. c29.		
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# **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)	Review the following daily logs that an inspector obtained from a driver. U	se
	the 5-step guide to check for compliance.	

# Step 1 - Ensure the Log Is Current to the Last Change of Duty Status The inspector stops this driver in Cold Lake, AB on June 11 at 23:30. The driver tells the inspector that the driver just finished a rest in the sleeper berth and has just started driving. Is the logbook up-to-date and when was the last change of duty status?

# Step 2 - Ensure the Logbook Is True and Accurate

For the purposes of this Self-Check Exercise, assume the inspector interviewed the driver and reviewed the logbook and supporting documentation, and determined that log is true and accurate.

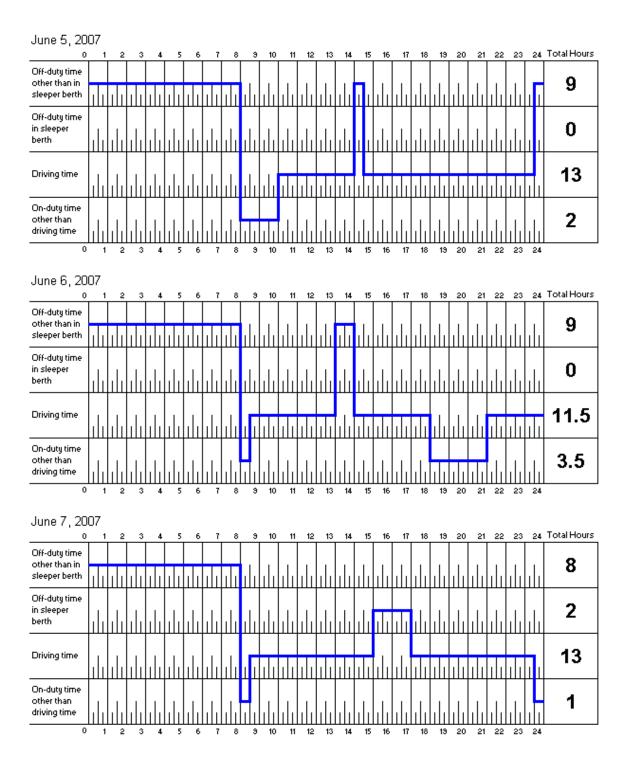
Step 3 – Check the Day
Review the daily logs and identify any daily limit or requirement violations. If there are any violations, identify how many hours the driver drove in violation.



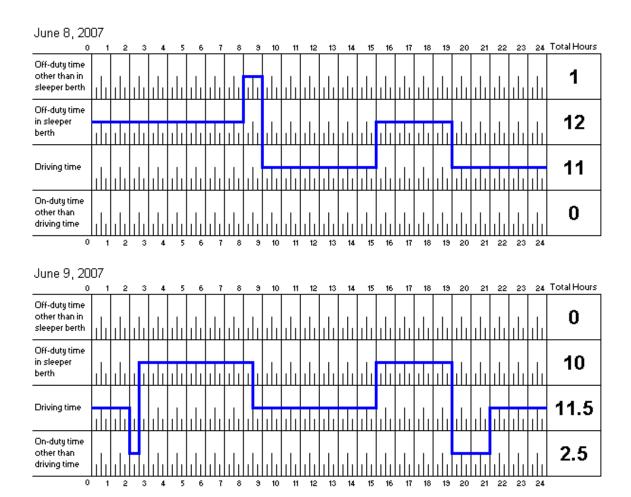
Step 4 – Check the Work Shift
Review the daily logs and identify any work shift violations. If there are any violations, identify how many hours the driver drove in violation.
Step 5 – Check the Cycle
Review the daily logs and identify any cycle violations. If there are any violations, identify how many hours the driver drove in violation. Also, if the driver exceeded the cycle limit, determine when the driver may resume driving.
Identify the Enforcement Actions that are available to the inspector for the violations.

Module 23: Enforcement Action

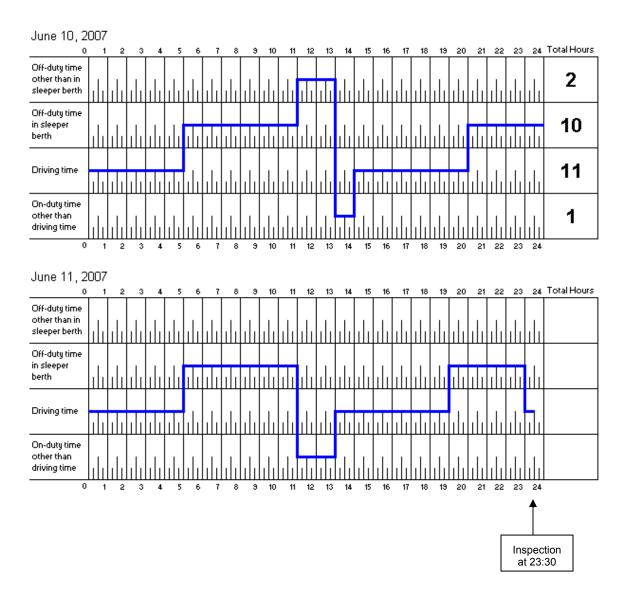












## **Answers to Module Self-Check Questions**

1) Review the following daily logs that an inspector obtained from a driver. Use the 5-step guide to check for compliance.

## Step 1 - Ensure the Log Is Current to the Last Change of Duty Status

The inspector stops this driver in Cold Lake, AB on June 11 at 23:30. The driver tells the inspector that the driver just finished a rest in the sleeper berth and has just started driving. Is the logbook up-to-date and when was the last change of duty status?

- The logbook is up-to-date
- The last change of duty status was at 23:00

## Step 2 - Ensure the Logbook Is True and Accurate

For the purposes of this Self-Check Exercise, assume the inspector interviewed the driver and reviewed the logbook and supporting documentation, and determined that log is true and accurate.

### Step 3 – Check the Day

Review the daily logs and identify any daily limit or requirement violations. If there are any violations, identify how many hours the driver drove in violation.

Module 23: Enforcement Action



Date	No driving after 13 hours driving	No driving after 14 hours on-duty	At least 10 hours off-duty - 8 hours core rest - 2 additional hours (blocks ≥ 30 minutes) not part of core rest
June 5	✓ (13 hours)	➤ 15 hours - Drove in violation 22:30 - 23:30 (1 hour)	➤ 9 hours - Did not take 2 additional hours (only took 1)
June 6	✓ (11.5 hours)	➤ 15 hours - Drove in violation 23:00 - 24:00 (1 hour)	➤ 9 hours - Did not take 2 additional hours (only took 1)
June 7	✓ (13 hours)	✓ (14 hours)	✓ (10 hours = 8 + 2 sleeper berth)
June 8	✓ (11 hours)	✓ (11 hours)	✓ (13 hours = 12 sleeper berth + 1)
June 9	✓ (11.5 hours)	✓ (14 hours)	✓ (10 hours sleeper berth )
June 10	✓ (11 hours)	✓ (12 hours)	✓ (12 hours = 10 hours sleeper berth + 2)
June 11	✓ (11 hours)_	✓ (13 hours)	✓ (11 hours sleeper berth)



# Step 4 – Check the Work Shift

Review the daily logs and identify any work shift violations. If there are any violations, identify how many hours the driver drove in violation.

Sleeper Berth Period	>= 2 hours	This period + another period >= 10 hours	<= 13 hours driving before and after sleeper berth period	No driving after 14 hours on- duty before and after sleeper berth period	No driving after 16 hours elapsed time before and after the sleeper berth period	Eligible Sleeper Berth Period
А	Yes (2)	Yes (A + B = 10)	Yes (6.5 + 6.5)	Yes (7 + 7)	Yes (7 + 7)	Yes
В	Yes (8)	Yes (B + C = 12)	Yes (6.5 + 6)	Yes (7 + 6)	Yes (7 + 7)	Yes
С	Yes (4)	Yes (B + C = 12)	Yes (6 + 7)	Yes (6 + 7.5)	Yes (7 + 7.5)	Yes
D	Yes (6)	Yes (D + E = 10)	No (7 + 6.5)			No
E	Yes (4)	Yes (D + E = 10)	No (6.5 + 8)			No
F	Period F is 8 consecutive hours off-duty (6 hours in the sleeper berth followed by 2 hours off-duty). This off-duty qualifies as a core rest period so brings the driver back into compliance.					
G	Yes (4)	Yes (G + H = 10)	Yes (6 + 5)	Yes (7 + 5)	Yes (9 + 5)	Yes
Н	Yes (6)	Yes (G + H = 10)	Yes (5 + 6)	Yes (5 + 8)	Yes (5 + 8)	Yes



Work Shift	No driving after 13 hours driving in a work shift	No driving after 14 hours on-duty in a work shift	No driving after 16 hours elapsed time
1 (June 5 8:00 – 23:30)	✓ (13 hours)	➤ 15 hours - Drove in violation 22:30 - 23:30 (1 hour)	✓ (15.5 hours)
2 (June 6 8:00 – 24:00)	✓ (11.5 hours)	➤ 15 hours - Drove in violation 23:00 - 24:00 (1 hour)	✓ (16 hours)
3 (June 7 8:00 – 24:00)	✓ (13 hours) (6.5 + 6.5)	✓ (14 hours) (7 + 7)	✓ (14 hours) (7 + 7)
4 (June 7 17:00 – June 8 15:00)	✓ (12.5 hours) (6.5 + 6)	✓ (13 hours) (7 + 6)	✓ (14 hours) (7 + 7)
5 (June 8 8:00 – June 9 2:30)	✓ (13 hours) (6 + 7)	✓ (13.5 hours) (6 + 7.5)	✓ (14.5 hours) (7 + 7.5)



Work Shift	No driving after 13 hours driving in a work shift	No driving after 14 hours on-duty in a work shift	No driving after 16 hours elapsed time
6 (June 8 19:00 – June 10 5:00)  (*Note: Periods D & E are not eligible sleeper berth periods)	Reached 13 <sup>th</sup> hour June 9 at 14:30  - Drove in violation a total of 8.5 hours June 9 14:30 - 15:00 (0.5 hour)  + June 9 21:00 - 24:00 (3 hours)  + June 10 0:00 - 5:00 (5 hours)	➤ Reached 14 <sup>th</sup> hour June 9 at 15:00 - Drove in violation a total of 8 hours June 9 21:00 – 24:00 (3 hours) + June 10 0:00 – 5:00 (5 hours)	➤ Reached 16 <sup>th</sup> hour June 9 at 11:00 - Drove in violation a total of 12 hours June 9 11:00 – 15:00 (4 hours) June 9 21:00 – 24:00 (3 hours) + June 10 0:00 – 5:00 (5 hours)
7 (June 11 0:00 – 19:00)	✓ (11 hours) (5 + 6)	✓ (13 hours) (5 + 8)	✓ (13 hours) (5 + 8)



# Step 5 – Check the Cycle

Review the daily logs and identify any cycle violations. If there are any violations, identify how many hours the driver drove in violation. Also, if the driver exceeded the cycle limit, determine when the driver may resume driving.

Number of days in Cycle	Calendar date	Total on-duty hours	Total hours accumulated
7	June 5	15	
6	June 6	15	
5	June 7	14	
4	June 8	11	
3	June 9	14	
2	June 10	12	
1	June 11	13.5	94.5
	June 12	0	79.5
	June 13	*5.5 eligible	70

Driver reached 70<sup>th</sup> hour on June 10 at 1:00
Driver drove in violation for a total of 21.5 hours
June 10 1:00 – 5:00 (4 hours)
June 10 14:00 – 20:00 (6 hours)
June 11 0:00 – 5:00 (5 hours)
June 11 13:00 – 19:00 (6 hours)

June 11 23:00 – 23:30 (0.5 hour)

Driver may resume driving on June 13 (at 00:01) for 5.5 hours



Identify the Enforcement Actions that are available to the inspector for the violations.

- Issue a verbal warning to the commercial vehicle driver explaining the violation(s)
- Issue a written warning (Commercial Vehicle Inspection Report) to the commercial vehicle driver outlining the violation(s). This report can also serve as an out-of-service declaration.
   Because the driver drove after accumulating 70 hours of on-duty time during any period of 7 days, the inspector can place the driver out-of-service for the number of hours needed to correct the failure (i.e., 24 consecutive hours on June 12). The driver is out-of-service at the time of the stop and is not eligible to drive again until June 13 (at 00:01). The driver is eligible to drive for 5.5 hours on June 13.
- Issue an appearance notice to the driver and then complete a longform information formally charging the driver with the violation(s). The inspector will need to have the long-form information reviewed and sworn by a Justice of the Peace. The driver will appear in Provincial Court and a judge will determine the penalty for the violation(s).

39

Module 23: Enforcement Action



