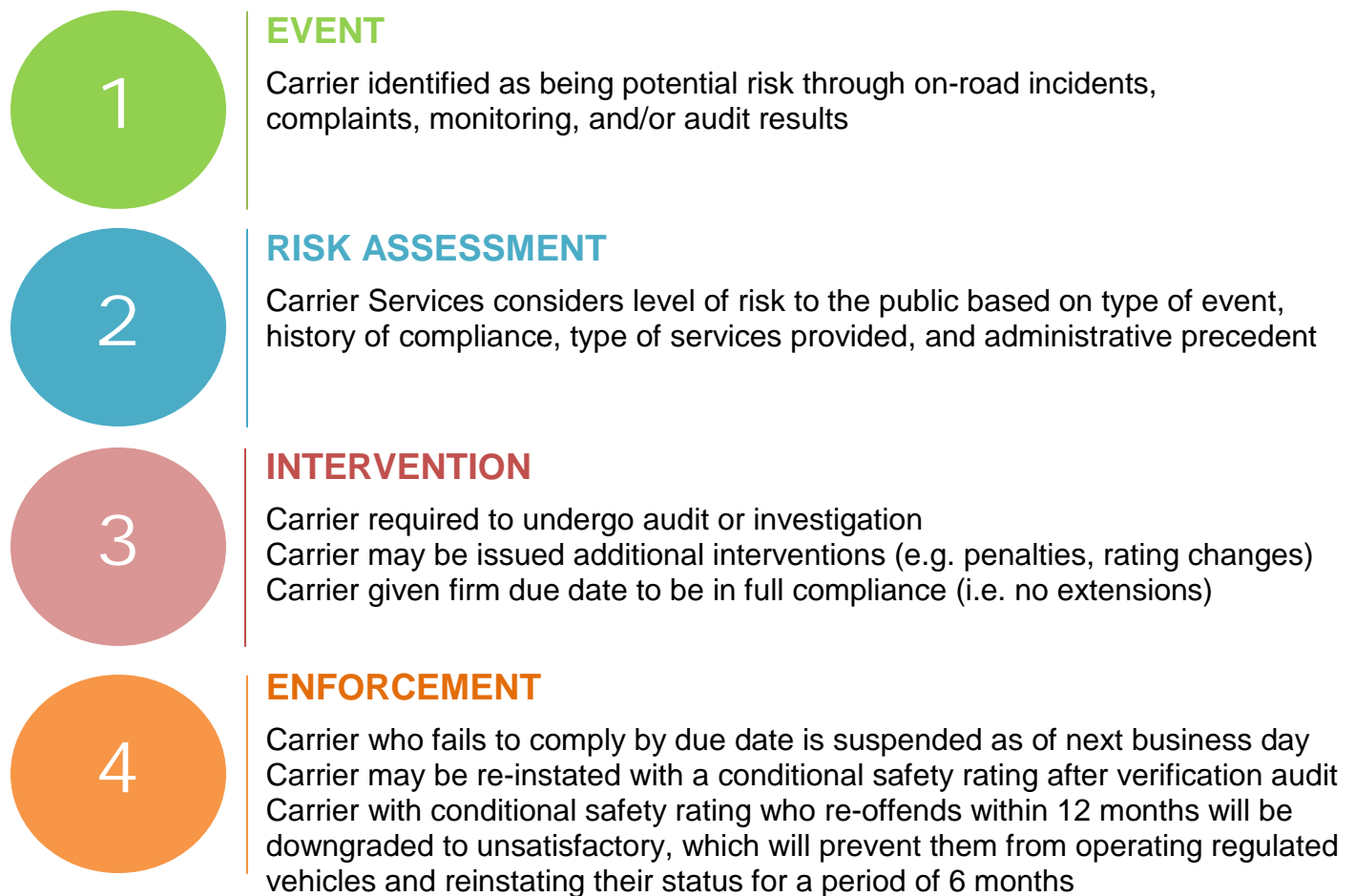


# NOTICE

## RE: Carrier Services Intervention and Discipline Policy

Alberta Transportation monitors the safety and compliance of commercial bus and truck carriers. This is to reduce traffic-related deaths and serious injuries involving commercial vehicles on Alberta highways. If a carrier does not comply with safety laws, the government may intervene with their operations to reduce the risk the carrier poses to the public.

In March, 2018 Alberta Transportation is phasing in a new intervention policy. The new policy will enable the government to quickly and effectively address risks to the public on Alberta highways. A description of the new intervention process is shown below:




As part of this initiative, Alberta Transportation will continue to ensure education resources are available to carriers before they are identified in the intervention process. These resources may empower carriers to make proactive and positive improvements to their operations.

For more information about the carrier intervention process, visit:  
[www.transportation.alberta.ca/670.htm](http://www.transportation.alberta.ca/670.htm).

If you have any questions regarding the new carrier intervention process, contact Carrier Services at 403-340-5033 or e-mail: [compliance.info@gov.ab.ca](mailto:compliance.info@gov.ab.ca).

## DEPARTMENT POLICY STATEMENT

<b>TITLE</b>	<b>Intervention and Discipline Policy – Carrier Services Carrier Monitoring Program</b>	
<b>Division/Branch</b>	Transportation Services Division Safety and Compliance Services Branch Carrier Services	
<b>Version Number</b>	<b>Replaces Previous Policy Number</b>  <b>TSS-CS-515</b>	<b>Effective Date</b>  <b>March 1, 2018</b>
<b>Purpose</b>	This policy provides the guidelines for administering disciplinary action against regulated persons and for issuing administrative financial penalties to regulated persons due to a failure to comply with regulatory legislation necessary to ensure the safety of drivers and the travelling public.	
<b>Principles</b>	Principles of administrative justice and fairness shall be used when intervening with and levying disciplinary action. Disciplinary action resulting from intervention shall be used to improve a carrier’s on-road performance in order to reduce the frequency and severity of collisions, as well as to maintain road safety for all road users.	
<b>Criteria</b>	<ul style="list-style-type: none"> <li>• Action shall be taken against a regulated person because of failure to comply with regulatory requirements in the form of: <ul style="list-style-type: none"> <li>○ an audit or investigation,</li> <li>○ an administrative penalty,</li> <li>○ a suspension, and/or</li> <li>○ a change in carrier safety rating.</li> </ul> </li> <li>• Disciplinary action shall be based on the safety risk to the public, compliance of the carrier and administrative precedent. Carrier Services shall: <ul style="list-style-type: none"> <li>○ Collaborate and expedite interaction with carriers that provide public services which if interrupted would; <ul style="list-style-type: none"> <li>▪ endanger the life, personal safety or health of the public; or</li> <li>▪ are necessary to the maintenance and administration of the rule of law and public security.</li> </ul> </li> <li>○ Expedite interaction with a carrier when a carrier’s actions pose an immediate risk to public safety;</li> <li>○ Suspend a carrier that has not met their disciplinary requirements by the specified due date;</li> <li>○ Downgrade a carrier’s safety rating when carrier’s performance poses a risk to the public, and no action is taken by carrier to address the situation by the specified due date.</li> </ul> </li> <li>• Administrative penalties shall be applied to regulated persons in accordance with the <i>Traffic Safety Act 143(2)</i>. <ul style="list-style-type: none"> <li>○ The amount of a penalty shall reflect the failure to comply and the seriousness of the contravention.</li> <li>○ Administrative penalties may be issued for each day or part of a day that the failure to comply occurs or continues per the <i>Traffic Safety Act 143(2)(b)</i>.</li> </ul> </li> </ul>	

<p><b>Definitions</b></p>	<ul style="list-style-type: none"> <li>○ Administrative penalties shall be imposed consistently and in accordance with legislative and regulatory requirements.</li> <li>● The Director of Carrier Services, or anyone with delegated authority acting on the Director's behalf, shall act in accordance with this policy to address non-compliance issues.</li> <li>● The Director of Carrier Services, or anyone with delegated authority as authorized by the Registrar, shall:             <ul style="list-style-type: none"> <li>○ change a carrier's safety rating;</li> <li>○ cancel, suspend or impose a condition on a certificate;</li> <li>○ issue administrative penalties;</li> <li>○ impose conditions on, or cancel a permit for, non-compliance issues.</li> </ul> </li> <li>● A regulated person may appeal a decision rendered by the Registrar, or its delegates, based on procedural fairness, and shall be informed of their right to appeal and the process to do so.</li> </ul> <p>Regulated person – a carrier, an exempted operator, a driver of a commercial vehicle, or a permit holder, per the Traffic Safety Act 143(1)</p> <p>A regulated person is required to operate under the authority of a Safety Fitness Certificate (SFC) and/or an Operating Authority Certificate (OAC) issued in accordance with Alberta's <i>Traffic Safety and or Act</i> is expected to fully comply with all motor transport regulatory legislation.</p>
<p><b>Reference</b></p>	<p>Carrier Safety Rating: means an evaluation of a carrier's safety performance. Developed in accordance with Standard #14, Safety Rating.  <a href="http://ccmta.ca/images/publications/pdf/Standard_14.pdf">http://ccmta.ca/images/publications/pdf/Standard_14.pdf</a></p> <p>The safety ratings are as follows:</p> <ul style="list-style-type: none"> <li>○ Satisfactory</li> <li>○ Satisfactory Unaudited</li> <li>○ Conditional</li> <li>○ Unsatisfactory</li> </ul> <p><i>Traffic Safety Act</i>, Sections 132, 62, 143          Commercial Vehicle Certificate and Insurance Regulation (AR 314/2002), Section 35(2)</p>
<p><b>Approved by</b></p>	<div style="text-align: center;">  </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Barry Day, Deputy Minister</span> <span>Feb 16, 2018</span> </div> <div style="text-align: center; margin-top: 5px;"> <span>Date</span> </div>