

## Frequently Asked Questions

### ***Commercial Vehicle Safety Regulation, Vehicle Equipment Regulation, Use of Highway and Rules of the Road Regulation***

#### **Implementation - July 1, 2009**

**1. Why are so many changes to commercial vehicle regulations being implemented right now?**

There are currently nine regulations that deal with commercial vehicle safety, maintenance and equipment standards. Most of these regulations are at least 10 years out of date (some are 20-30 years old). The majority of the changes are simply to update Alberta's existing regulations and to ensure they are consistent with current Canadian and North American standards.

**2. Which nine regulations are being replaced by the new *Commercial Vehicle Safety Regulation*?**

- 1) *Commercial Vehicle General Equipment and Safety Regulation (AR 435/86)*
- 2) *Commercial Vehicle Maintenance Standards Regulation (AR 118/89)*
- 3) *Commercial Bus Equipment and Safety Regulation (AR 213/2006)*
- 4) *Bus Safety Regulation (AR 212/2006)*
- 5) *School Bus Operation Regulation (AR 437/86)*
- 6) *Driveaway and Towaway Regulation (AR 427/86)*
- 7) *Transportation of Anhydrous Ammonia and Other Fertilizers Regulation (AR 436/86)*
- 8) *Cargo Securement Regulation (AR 1/2005)*
- 9) *Log Haul Regulation (AR 431/86)*

Some aspects related to the operation of vehicles and definitions from the nine amalgamated regulations will be placed within the existing *Vehicle Equipment Regulation* and *Use of Highway and Rules of the Road Regulation*.

**3. When do the new and amended regulations take effect?**

They will take effect concurrently on July 1, 2009.

**4. Why was it so important to update the regulations?**

The Government of Alberta is committed to ensuring cars, trucks, and buses operating on Alberta highways are subject to the most current safety standards and that when needed, our vehicle equipment (such as signal lights, brakes and seat belts) will protect us.

Safety standards, vehicle mechanical conditions, and driving rules are in place to ensure the safety of all Albertans using our highways, to govern the safe movement of goods and people, and to ensure that all motor carriers work by the same rules to protect their investments and ensure the viability of the industry.

**5. What kind of consultation was done by Alberta Transportation in developing/changing the regulations?**

This extensive legislative project began in 2006. Significant consultation was undertaken with key stakeholders including major industry, municipal and safety organizations, carriers, enforcement communities, and affected provincial ministries. Specific input was sought from independent school bus operators and school division representatives. Carriers and industry organizations would also have been consulted on provisions in the new regulations by other jurisdictions and standard setting bodies during the development of national and international standards.

To ensure consistency, all current regulations were reviewed in depth, relevant Canadian and North American vehicle safety and equipment standards were incorporated, and regulations in other provinces were analyzed to enhance compatibility.

**6. Won't the new regulations mean carriers will have to make major adjustments or purchases to update their equipment and vehicles?**

Most carriers have been aware of the contemplated changes since the review began in 2006. Many have already implemented the new requirements either in anticipation of the new Alberta regulations or in compliance with regulations of other jurisdictions.

Also, the new standards have been adopted by vehicle manufacturers in the current models of commercial vehicles. The new standards simply represent "best practices".

**7. Do the regulation changes apply only to commercial vehicles?**

The new *Commercial Vehicle Safety Regulation* applies only to commercial vehicles – trucks, truck-tractors, trailers and buses (both commercial buses and school buses).

The *Vehicle Equipment Regulation* and *Use of Highway and Rules of the Road Regulation* contain sections related to both passenger vehicles and commercial vehicles.

One amendment to the *Use of Highway and Rules of the Road Regulation* is related to small vehicles - mopeds and power bicycles.

**8. What are the key changes related to commercial vehicles?**

The key changes related to commercial vehicles are highlighted in the fact sheet, "[Updated Rules for Vehicles in Alberta](#)". On July 1, 2009, when the regulations go into effect, a link to the legislation will be posted on Alberta Transportation's web site. Until July 1, any questions or requests for more detail can be directed to:

Alberta Transportation  
Vehicle Safety Section  
Main Floor, Twin Atria Bldg.

4999 – 98 Avenue  
Edmonton AB T6B 2X3  
Phone: 780-427-8901 (to call toll free within Alberta dial 310-0000)  
Fax: 780-422-2721  
Email: [vehicle.safety@gov.ab.ca](mailto:vehicle.safety@gov.ab.ca)

### Commercial Vehicle Safety Regulation (CVSR)

#### **9. One of the key changes is the requirement for a written trip inspection report for trucks, truck-tractors, trailers and buses. Won't this be onerous for commercial carriers?**

Most major operators have already implemented written trip inspection reports as part of their due diligence. Inter-provincial carriers already maintain written reports because it is required in other jurisdictions.

This change brings Alberta in line with all other Canadian jurisdictions and is in accordance with national safety standards ([http://www.ccmta.ca/english/pdf/nsc\\_standard\\_13.pdf](http://www.ccmta.ca/english/pdf/nsc_standard_13.pdf)). The trip inspection reports must be kept by the carrier for a minimum of six months.

Motor coaches will be required to comply with the 12,000 kilometres or 30-day inspection requirements for motor coaches under NSC 13.

The majority (71%) of those consulted agreed with this change.

#### **10. Do farmers have to do a written trip inspection report?**

No. A farmer who operates solely in Alberta is not required to complete a written trip inspection report.

Farmers who hold a Safety Fitness Certificate that enables them to operate outside of the province may be required to complete written trip inspection reports.

#### **11. Are there other changes that impact farmers?**

There are no new provisions or new fines specifically directed at farm vehicles or their operation. However, there are some new provisions that are applicable to all commercial vehicles, including farm vehicles, such as the following:

- Commercial vehicles manufactured on or after January 1, 2012 must have a federal compliance label and if they have been significantly modified, they must be recertified and have a new compliance label attached.
- All commercial vehicles will have to carry reflective "advance warning triangles". The triangles replace flags and/or flares and are used to warn traffic of disabled commercial vehicles.

- Effective January 1, 2012, all commercial "truck tractors" must be equipped with brakes on all wheels.

## **12. What is new related to school bus maintenance and why are these changes necessary?**

The 2007 version of the Canadian Standards Association (CSA) D250 is being adopted as the result of extensive consultation with the School Bus Safety Committee which consists of members from the school bus industry, operators, and school boards.

Existing school buses are not required to retrofit to the new D250 standard; however they must be maintained to meet the CSA D250 in effect when manufactured.

School bus carriers are now also required to implement a written maintenance program. Previous legislation related to written maintenance programs only applied to commercial trucks and buses. With the addition of school buses, the written maintenance program requirement now applies to all motor carriers.

## **13. What are the other key changes related to school buses?**

A school bus operator or driver will be required to conduct a daily trip inspection of the school bus and complete a written report. This inspection will help ensure a school bus has working lights, warning lights, and tires in good condition.

The new legislation also provides for a passenger who needs the assistance of a guide dog to be allowed to have the dog accompany that person in a school bus. This change would be complementary to the *Blind Person's Rights Act*.

Another change allows a school bus driver in an urban area to direct students to cross a highway at a crosswalk if the municipal by-law prohibits the use of a bus arm, stop arm or eight-lamp advanced warning system.

In rural areas, a school bus driver will direct students to cross the highway in front of the school bus pedestrian crossing gate arm, with the crossing arm in its open position. This ensures greater visibility for the bus driver and approaching drivers.

Effective September 1, 2010, all school buses must have four amber and four red flashing light systems, a white flashing strobe light, and reflective markings.

## **14. The new Commercial Vehicle Safety Regulation requires that vehicles be maintained in safe operating condition. What does this mean?**

It means commercial vehicle operators must comply with all safety and maintenance standards. A new offence has been created for anyone operating a commercial vehicle that may cause danger to persons or properties. A new provision is also included to clarify that the standards apply to the modification of commercial vehicles as well.

These changes provide enhanced tools for law enforcement officers to deal with unsafe vehicles, and to audit and investigate carriers if necessary.

**15. There is a new requirement for vehicles that have been modified to comply with the National Safety Mark and Compliance Label requirement. Why?**

Vehicles must either comply with the National Safety Mark and Compliance Label requirement or the vehicle must have a mechanical fitness certificate issued by a qualified professional engineer. This is to ensure home-made, modified or reassembled commercial vehicles meet safety standards. It will only apply to vehicles manufactured on or after January 1, 2012.

**16. The CVSR will make brakes on all wheels (including trailers) mandatory for commercial vehicles. Is this a new requirement?**

Yes. This will update Alberta legislation to be consistent with federal rules. The federal change came into effect in 1986 but until now there was no provincial legislation to address this requirement.

Brakes would not be required if the vehicle (including trailers) is exempt under the *Motor Vehicle Safety Act* (Canada) or the *Traffic Safety Act* (Alberta).

If a vehicle is converted to a type that would require brakes, the converted vehicle must be equipped with brakes that meet the requirements of the *Motor Vehicle Safety Act* and the *Traffic Safety Act*. An example of this is a “truck tractor” (designed to operate in combination with a trailer) that is operating as a truck only and may not have been equipped with front brakes. These would now be necessary to provide enough braking capacity.

A gravel truck originally designed as a “straight truck” will have front brakes.

**17. What is new with the regulations related to warning signs on the rear of a tank truck and petroleum products carried by a trailer?**

The current regulation requires a warning sign to be displayed on the rear of a commercial vehicle that transports a tank carrying flammable liquid or gas but it does not specify the size of the tank.

The new regulation will clarify that this sign requirement applies to tanks with a capacity of 5,000 litres or greater.

Similarly, current regulation prohibits a single axle trailer, other than a semi-trailer, from carrying a tank transporting petroleum products on a highway, but does not specify the size of the tank.

The new regulation will clarify that the requirement only applies to a tank with a capacity of 3,000 litres or more for flammable liquids, or 450 litres or more for flammable gas.

**18. What is new with respect to tire ratings?**

A commercial vehicle will not be allowed to operate on a highway at a speed or load greater than the rating of any tires on the vehicle.

**19. Why are advance warning triangles replacing the use of flags and flares?**

An advance warning triangle that complies with Society of Automotive Engineers standards will be the only recognized advance warning device under the new regulation. Flags and flares are considered obsolete and will no longer be recognized for use by commercial vehicles.

**20. Why are the current requirements in the *Driveaway and Towaway Regulation* being changed?**

“Driveaway and towaway” methods mean the delivery service used by a motor vehicle transporter to tow vehicles in combination with a tow-bar or saddle-mount.

The current requirements are being simplified. Towed vehicles must have brakes on all axles touching the ground and lights on the rear unit.

**21. What is new with respect to first aid kits and fire extinguishers?**

Standards are being updated for first aid kits and fire extinguishers to more accurately reflect current requirements for commercial buses and school buses.

**Vehicle Equipment Regulation (VER)**

**22. What are the key changes being made to the *Vehicle Equipment Regulation*?**

Rear high center mounted brake lights must be maintained in good working order. This applies only to those vehicles originally equipped with the rear center light.

Any original safety equipment installed in a new vehicle must be maintained in good working order, including air bags. This equipment maintenance provision will apply to air bags because they are part of the occupant restraint system.

As well, references to school bus equipment are being consolidated in the *VER* to provide easy reference and clarification of existing provisions.

**Use of Highway and Rules of the Road Regulation (UHRRR)**

**23. What are the key changes being made to the *Use of Highway and Rules of the Road Regulation*?**

The changes to the *UHRRR* are mainly to harmonize requirements with federal regulations related to the definitions of “mopeds” and “power bicycles”, and to address consolidation issues in the *CVSR* and the *VER* related to advance warning triangles, daytime running lamps, and supplementary non-driving lighting systems (working lights).

#### **24. What is the change related to mopeds and power bicycles?**

The definitions of mopeds and power bicycles are being updated to be consistent with federal regulations that define them as a limited speed motorcycle and a power-assisted bicycle. However, the terms “moped” and “power bicycle” will still be used in Alberta.

##### **Effective July 1, 2009:**

- A **moped** will have a top speed of 70 km/h and no weight restrictions. A moped includes a vehicle with an electric motor or one that is propelled by an engine that has a displacement of not more than 50 cc.
- A **power bicycle** will have a top speed of 32 km/h, an electric motor with a maximum power of 500 watts, and no weight restriction.

##### **Prior to July 1, 2009:**

- A **moped** has a top speed of 50 km/h and weighs between 35 and 55 kg.
- A **power bicycle** has a top speed of 35 km/h, one or more electric motors with a maximum electric power of 750 watts or has an engine displacement of no more than 50 cubic centimetres, and has to weigh less than 35 kg.

#### **25. How will these new requirements impact the licensing of mopeds and power bicycles?**

Alberta’s definitions are too restrictive and don’t allow for the types of vehicles which are being sold. Albertans today are purchasing Transport Canada limited-speed motorcycles and, inappropriately, licensing and operating them as mopeds.

As well, almost all power-assisted bicycles used and sold in Alberta are too heavy to be considered power bicycles. Harmonizing the federal and provincial definitions for these vehicles will eliminate uncertainty in consumer transactions and add clarity to enforcement of the regulation.

#### **26. What is new in the UHRRR with respect to advance warning triangles, daytime running lights, and working lights?**

To complement the CVSR change recognizing only advance warning triangles as accepted warning devices, the UHRRR is being updated to specify that passenger vehicles stopped on the highway must use tail lights and hazard lights, while commercial vehicles stopped on the highway during the night must use hazard lights and warning triangles.

Daytime running lights have been required on all vehicles since December 1989 and the amended regulation requires all vehicles equipped with these lights to have them alight.

A new section will allow a commercial vehicle to be equipped with working lights designed to illuminate the deck or cargo area of a truck. These are typically mounted to light the area

around the truck and trailer to provide a safe working area at night. Working lights on a commercial vehicle can't be operated when that vehicle is driving on a highway.

**27. Have fines increased for offences as a result of the new and revised regulations?**

No. There will be no increase to fines or penalties for offences as a result of the new and revised regulations.

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