

TRUCK TAGS

INTERIM POLICY

In December 2015, the Acting Commissioner issued an Interim Truck Tag Policy in order to accommodate licensee requests for more tags. The policy acknowledged that the original intention of a truck tag system was, in part, to ensure that the drayage fleet is correctly sized and operating efficiently. The December 2015 Interim Truck Tag Policy also identified sections of the then TLS Licence which reserved the Commissioner's right to determine the number of Truck Tags associated with the License and impose conditions upon the licensee.

On March 7, 2016 the current Commissioner rescinded the December 2015 Interim Truck Tag Policy in order to facilitate the 2016/17 TLS Licence application process. Since that time, inquiries have been made to the Office of the Container Trucking Commissioner (OBCCTC) by licensees about increasing a licensees' tag allotment.

At the same time, the OBCCTC is aware that a number of issued tags remain vacant.

The OBCCTC has decided to implement the following Interim Additional and Vacant Truck Tag Policy.

Background

The Container Trucking Services Licence retains the Commissioner's right to determine the number of Truck Tags associated with the Licence and impose conditions upon the licensee. As recognized by the former Acting Commissioner this empowers the Commissioner to implement an interim policy respecting additional and vacant truck tags.

Two amendments were made to Section 8 of the 2016 Container Trucking Services Licence Sponsorship Agreement as part of the 2016 licence application package:

1. The time a tag could be retained by a licensee or an Independent Operator following termination of a sponsorship was extended from 30 to 45 calendar days; and
2. Part C of Section 8 of the Sponsorship Agreement allows the Commissioner to retain and re-allocate tags after 45 days has lapsed following sponsorship termination.

Revised Section 8 – Sponsorship Agreement language in effect:

within forty-five (45) calendar days of termination:

- a) if the Sponsor terminates, the Sponsored IO may secure an alternate Sponsor; and
- b) if the Sponsored IO terminates, the Sponsor may either secure an alternate Owner Operator through Sponsorship or add and Approved Vehicle; and
- c) if neither a) or b) occurs, the original Truck Tag is automatically subject to re-allocation by the Commissioner in his or her discretion**

Interim Policy – Additional and Vacant Truck Tags

Additional Truck Tags

1. The OBCCTC will entertain applications for additional tags.
2. Additional tags will only be granted in exceptional circumstances and only if the licensee is in compliance with the *Container Trucking Act* and its Regulations at the time of application.
3. Applicants must demonstrate a strong business case for the issuance of additional tags. In considering an application for additional tags, the Commissioner will assess if one or more of the following applies:
 - Existing business is difficult to service due to the high utilization of the current tag allotment;
 - A current customer has increased its container movement volume; and
 - New business is attracted necessitating additional capacity.
4. The following criteria/evidence will be utilized by the Commissioner when considering eligible applications for additional tags:
 - a. If new business is acquired by the applicant, documentation that verifies the business arrangement(s) must indicate:
 - a. The current number of containers being transported per month;
 - b. The number of additional containers to be transported per month; and
 - c. The length of the new contract.
 - b. Vancouver Fraser Port Authority (VFPA) licence holder performance metrics and utilization data.
 - c. Additional evidence or materials that support an applicant's case for additional tags. Relevant information that can provide a better understanding of the need for the requested amount of tags will be considered.
 - d. Any other evidence, criteria, or information the Commissioner may request or view as relevant.
5. The Commissioner reserves the right to offer an alternative number of tags if deemed appropriate.
6. Additional tags will be issued contingent on the licensee's ongoing ability to adhere to the terms and conditions of VFPA's Access Agreement, the licence and the *Container Trucking Act* and its *Regulations*.

Vacant Truck Tags

1. Tags which remain vacant for more than 45 days following the termination of a Sponsorship Agreement will revert to the OBCCTC and will be subject to reallocation by the Commissioner in his or her discretion.

Process

Any Applicant seeking additional tags must submit a formal written application with supporting documentation to the OBCCTC that identifies the number of tags requested and:

- e. Evidence supporting that:
 - a. Existing business cannot be supported utilizing a licensee's existing tag allotment; and/or
 - b. An increase in existing business has occurred; and/or
 - c. New business has been acquired by the applicant.
- f. If existing business is increasing or new business has been acquired, documentation that verifies the business arrangement(s) which indicates:
 - a. The current number of containers being transported per month;
 - b. The number of additional containers to be transported per month; and
 - c. The length of the new contract.
- g. Applicants can submit additional evidence or materials that support their case for additional tags. Relevant information that can provide a better understanding of the need for the requested amount of tags will be considered.
- h. The Commissioner may consider other criteria as the Commissioner determines appropriate.

Submission Guidelines

Licensees may apply to: registrar@obcctc.ca for additional tags.
This Policy will come into effect on October 19, 2016.