

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 223 , Approved and Ordered May 4, 2018



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Container Trucking Regulation, B.C. Reg. 248/2014, is amended as set out in the attached Appendix.

DEPOSITED

May 4, 2018

B.C. REG. 92/2018



Minister of Transportation and Infrastructure



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Container Trucking Act*, S.B.C. 2014, c. 28, s. 22 (1)

Other: *OIC 757/2014*

R20226703

APPENDIX

1 Section 13 of the Container Trucking Regulation, B.C. Reg. 248/2014, is amended

- (a) in subsection (1) by striking out “A licensee” and substituting “Before June 1, 2018, a licensee”,**
- (b) in subsection (2) by striking out “This section applies whether the hours of container trucking services referred to in subsection (1) (a) or (b)” and substituting “Subsection (1) applies whether the hours of container trucking services referred to in that subsection”, and**
- (c) by adding the following subsections:**
 - (3) On and after June 1, 2018, a licensee must pay a directly employed operator an amount equal to or greater than**
 - (a) \$25.78 per hour, inclusive of benefits, if the directly employed operator has performed less than 2 340 hours of container trucking services on behalf of any licensee, or**
 - (b) \$26.96 per hour, inclusive of benefits, if the directly employed operator has performed 2 340 or more hours of container trucking services on behalf of any licensee.**
 - (4) Subsection (3) applies whether or not the hours of container trucking services referred to in that subsection were performed on behalf of the licensee.**

2 Section 14 is amended

- (a) in subsection (2) by striking out “The licensee” and substituting “Before June 1, 2018, a licensee”,**
- (b) in subsection (3) by striking out “This section applies whether the hours of container trucking services referred to in subsection (2) (a) or (b)” and substituting “Subsection (2) applies whether the hours of container trucking services referred to in that subsection”, and**
- (c) by adding the following subsections:**
 - (4) On and after June 1, 2018, a licensee must pay an indirectly employed operator, to whom this section applies, the difference, if any, between the following:**
 - (a) the amount paid by the independent operator to the indirectly employed operator;**
 - (b) an amount equal to whichever one of the following applies:**
 - (i) \$25.78 per hour, inclusive of benefits, if the indirectly employed operator has performed less than 2 340 hours of container trucking services on behalf of any licensee;**
 - (ii) \$26.96 per hour, inclusive of benefits, if the indirectly employed operator has performed 2 340 or more hours of container trucking services on behalf of any licensee.**

- (5) Subsection (4) applies whether or not the hours of container trucking services referred to in that subsection were performed on behalf of the licensee.

3 Section 15 is amended

- (a) *in subsection (1) by striking out "If a licensee" and substituting "Before June 1, 2018, if a licensee",*
- (b) *in subsection (2) by striking out "This section applies whether the hours of container trucking services referred to in subsection (1) (a) or (b)" and substituting "Subsection (1) applies whether the hours of container trucking services referred to in that subsection", and*
- (c) *by adding the following subsections:*
- (2.1) On and after June 1, 2018, if a licensee pays an independent operator hourly for container trucking services, the licensee must pay the independent operator an amount equal to or greater than
- (a) \$51.43 per hour, inclusive of benefits, if the independent operator has performed less than 2 340 hours of container trucking services on behalf of any licensee, or
- (b) \$52.61 per hour, inclusive of benefits, if the independent operator has performed 2 340 or more hours of container trucking services on behalf of any licensee.
- (2.2) Subsection (2.1) applies whether or not the hours of container trucking services referred to in that subsection were performed on behalf of the licensee.

4 Section 18 is amended

- (a) *by renumbering the section as section 18 (1),*
- (b) *in subsection (1) by striking out "pay the independent operator the greater of" and substituting "pay the independent operator, for container trucking services performed before June 1, 2018, the greater of",*
- (c) *in subsection (1) (b) by striking out "or section 15" and substituting "or 15", and*
- (d) *by adding the following subsection:*
- (2) If an independent operator agrees, at the request of a licensee, to be available to perform container trucking services for 4 or more continuous hours in a 24-hour period, the licensee must pay the independent operator, for container trucking services performed on and after June 1, 2018, the greater of the following:
- (a) \$300;
- (b) the applicable remuneration owing under section 12 or 15.

5 Section 19 is amended by adding the following subsection:

- (4) For the purposes of subsections (2) and (3), the amounts of any increases made on or after June 1, 2018 to the rates payable under sections 12 to 15 are payable to truckers only as of June 1, 2018.

Table 2 – Independent Operator Rate per Trip (\$)

Column 1 Origin Area	Column 2 Destination Area (see Column 3 in Table 1)																								
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
A	103	133	138	133	113	128	133	123	113	118	118	113	138	148	118	123	123	138	133	128	128	123	143	153	
B	133	103	123	118	138	123	118	113	123	138	128	123	143	113	123	123	133	123	123	113	118	118	118	118	128
C	138	123	103	113	143	123	113	133	128	128	128	133	133	118	118	133	123	123	118	118	123	118	123	113	123
D	133	118	113	103	143	123	118	123	128	133	128	133	133	113	118	138	123	123	118	118	123	118	123	113	123
E	113	138	143	143	103	128	138	133	118	123	123	128	118	138	153	123	128	128	133	148	143	138	123	148	158
F	128	123	123	123	128	103	123	118	118	133	103	118	128	118	133	113	128	118	123	128	128	113	113	128	138
G	133	118	113	118	138	123	103	118	128	123	123	128	128	113	123	128	118	118	113	118	123	113	118	118	123
H	123	113	133	123	133	118	118	103	128	128	123	123	128	118	128	118	128	123	123	118	113	113	113	123	133
I	113	123	128	128	118	118	128	128	103	128	113	118	123	128	143	118	138	118	133	138	133	118	118	138	148
J	118	138	128	133	123	133	123	128	128	103	128	123	113	128	138	138	113	133	118	133	138	133	133	133	143
K	118	128	128	128	123	103	123	123	113	128	103	113	123	123	138	118	138	113	128	133	128	118	118	133	143
L	113	123	133	133	128	118	128	123	118	123	113	103	123	138	123	123	138	113	128	133	128	118	113	138	148
M	113	143	133	133	118	128	128	128	123	113	123	123	103	133	143	133	118	133	123	138	143	133	133	138	148
N	138	113	118	113	138	118	113	118	128	128	123	138	133	103	123	123	123	118	118	113	118	113	118	118	128
O	148	123	118	118	153	133	123	128	143	138	138	123	143	123	103	143	133	133	128	118	123	128	133	113	113
P	118	123	133	138	123	113	128	118	118	138	118	123	133	123	143	103	133	123	128	128	123	118	113	133	143
Q	123	133	123	123	128	128	118	128	138	113	138	138	118	123	133	133	103	128	113	128	133	123	128	128	138
R	123	123	123	123	128	118	118	123	118	133	113	113	133	118	133	123	128	103	123	123	128	113	118	128	138
S	138	123	118	118	133	123	113	123	133	118	128	128	123	118	128	128	113	123	103	123	128	118	123	123	133
T	133	113	118	118	148	128	118	118	138	133	133	133	138	113	118	128	128	123	123	103	113	118	123	113	123
U	128	118	123	123	143	128	123	113	133	138	128	128	143	118	123	123	133	128	128	113	103	118	118	118	128
V	128	118	118	118	138	113	113	113	118	133	118	118	133	113	128	118	123	113	118	118	118	103	113	123	128
W	123	118	123	123	123	113	118	113	118	133	118	113	133	118	133	113	128	118	123	123	118	113	103	128	138
X	143	118	113	113	148	128	118	123	138	133	133	138	138	118	113	133	128	128	123	113	118	123	128	103	118
Y	153	128	123	123	158	138	123	133	148	143	143	148	148	128	113	143	138	138	133	123	128	128	138	118	103

7 Schedule 2 is repealed and the following substituted:

SCHEDULE 2

(section 12 (4))

ON-DOCK TRIP RATES (INDEPENDENT OPERATORS)

Item	Column 1 Origin/Destination Area (same descriptions as in Schedule 1)	Column 2 Rate to or from Centerm or Vanterm (\$)	Column 3 Rate to or from Deltaport (\$)	Column 4 Rate to or from Fraser Surrey Docks (\$)
1	Abbotsford	201.10	201.10	183.90
2	Annacis Island	137.90	137.90	114.90
3	Burnaby North	120.70	155.10	126.40
4	Burnaby South	126.40	155.10	120.70
5	Chilliwack	229.80	229.80	212.60
6	Cloverdale	155.10	155.10	132.20
7	Coquitlam	132.20	155.10	126.40
8	City of Delta	155.10	114.90	114.90
9	Fort Langley/Aldergrove	178.10	189.60	155.10
10	Haney/Maple Ridge	160.90	183.90	155.10
11	Langley City	166.60	155.10	137.90
12	Langley South	189.60	137.90	137.90
13	Mission	201.10	212.60	189.60
14	New Westminster	132.20	155.10	120.70
15	North Vancouver	120.70	160.90	155.10
16	Pacific Highway	189.60	137.90	137.90
17	Pitt Meadows	155.10	172.40	137.90
18	Port Kells	155.10	166.60	126.40
19	Port Moody/Port Coquitlam	137.90	166.60	132.20
20	Richmond North	120.70	137.90	120.70
21	Richmond South	126.40	126.40	120.70
22	Surrey North	137.90	137.90	114.90
23	Surrey South	155.10	137.90	137.90
24	Vancouver	114.90	155.10	137.90
25	West Vancouver	126.40	166.60	160.90