

February 27, 2020

Michael Crawford  
Container Trucking Commissioner  
Office of the BC Container Trucking Commissioner  
via e-mail: [Michael.Crawford@obcctc.ca](mailto:Michael.Crawford@obcctc.ca)

**Re.: Supplemental Consultation Document - 2020 CTS Licence Reform**

Dear Mr. Crawford:

The BC Trucking Association (BCTA) would like to provide the following comments regarding the supplemental consultation document on CTS Licence Reform, posted on February 11, 2020.

First, BCTA would like to raise our concern that the OBCCTC is creating requirements that are arbitrary and punitive to businesses with less than 10 trucks, and possibly outside of its jurisdictional authority, including not allowing these businesses any opportunity to transfer their assets before excluding them from the licensing process. BCTA acknowledges that the mandate of the OBCCTC is to enforce the regulated rates, however we do not believe this extends to the regulation of what or how container trucking service businesses are conducted.

Additionally, while BCTA applauds the OBCCTC for requiring licensees to submit a copy of their National Safety Code (NSC) carrier profile, we submit that it will not be a useful tool for managing and tracking a fleet for the purposes the OBCC TC has outlined. The NSC carrier profile is meant to track and record a carrier's safety compliance, not to track the specific type of work performed by trucks associated with a particular NSC. Due to the frequency with which a fleet's usage fluctuates as each truck is dispatched as needed, any information on which truck is used for on/off dock purposes will likely be out of date soon after it is issued. As well, we anticipate there will be overlap of trucks used for on and off-dock work. It will therefore it will be difficult for carriers to identify which trucks need TLS and/or CTC tags.

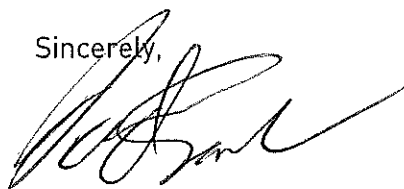
Regarding the addition of the licence and tag evaluation criteria, it is certainly helpful for licensees to have additional detail on the evaluation process. However, BCTA is concerned that the OBCCTC will find it difficult to distinguish between poor fleet utilization performance and external economic factors outside of a licensee's control. This is particularly concerning in light of the economic downturn in the last quarter of 2019 and global uncertainty resulting from the spread of the novel coronavirus COVID-19. This problem also demonstrates one of the main issues with the OBCCTC expanding its focus beyond enforcement of the regulated rates: administering and managing the container trucking service work itself will continue to create unintended consequences for both companies and drivers, and damaging the Vancouver's competitiveness as a gateway.

The restriction of additional tag applications to an annual basis will also be detrimental to licensees' ability to operate their businesses, particularly those whose business fluctuates throughout the year. BCTA submits that the rationale behind restricting the applications to once per year – because applicants are manipulating their performance data results before making an application – will not necessarily be resolved by restricting the application period. As well, contrary to what the supplemental document states, this will not allow for more certainty in licensee business planning because it will not allow licensees to adjust their tag allocation in preparation for, or in response to, fluctuations in demand.

Finally, as BCTA indicated in our January 30, 2020 submission, we are against the regulation of off-dock services as it cannot be consistently and fairly enforced. The supplemental document has now placed additional conditions for licensees to obtain CTC tags for off-dock work. We would like to reiterate that making CTC tags more difficult to obtain will drive off-dock moves to unlicensed carriers outside the OBCCTC's jurisdiction and will place TLS companies at a competitive disadvantage. BCTA urges the OBCCTC to maintain a regulatory environment for container trucking companies that is reasonable, enforceable, and interferes minimally with business operations.

I would be pleased to answer any follow-up questions the OBCCTC might have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave Earle', written over a white background.

Dave Earle  
President & CEO