



January 31, 2019

I/O, Off-Dock Trip Rate When Moving Two Containers

Background

The Office of the BC Container Trucking Commissioner (the “OBCCTC”) has received queries regarding the application of section 12(3)(b) of the *Container Trucking Regulation* (the “*Regulation*”).

Interpretation

Section 12(3)(b) of the *Regulation* states that an Independent Operator (“I/O”) must be paid no less than 1.5 times the regulated off-dock trip rate if the I/O moves two containers in one trip.

Section 12(3)(b) of the *Regulation* was introduced in response to the proposed off-dock rate table in the 2014 Ready/Bell Report which refers to payment of “B-Trains” as follows:

B Trains – Full Rate on the first loaded can, and 50% on the second loaded can. This includes two cans hauled at the same time.

There is no reference to or definition of “B-Trains” in the *Regulation*. The British Columbia *Commercial Transport Act’s Commercial Transport Regulations* define a B-Train as follows:

a combination of vehicles composed of a truck tractor and a semi-trailer, followed by another semi-trailer attached to the first semi-trailer by means of a fifth wheel coupler mounted on the first semi-trailer, within the axle spread of the first semi-trailer or not located more than 0.3 m behind the center of the last axle;

Section 12(3)(b) of the *Regulation* does not reference the use of a B-Train (the use of two chassis to move two containers in one trip) when considering the movement of two containers in one trip and it does not differentiate between loaded or empty containers despite the reference in the 2014 Ready/Bell report. The purpose of the section, however, is to ensure extra (.5 of a rate) compensation for the movement of two containers using a B-Train in recognition of the additional work associated with the use of an additional chassis.

Therefore, the OBCCTC is of the view that section 12(3)(b) of the *Regulation* applies when two containers are being moved in one trip on more than one chassis. Because the *Regulation* does not differentiate between loaded or empty containers, section 12(3)(b) of the *Regulation* applies to loaded or empty containers.

The OBCCTC is also aware that in some instances, two empty containers are moved on one chassis in one trip. In these cases, the regulated off-dock trip rate applies because there has been no additional chassis work for the driver that would warrant an additional .5 rate payment.

Sincerely,

OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER

A handwritten signature in blue ink, appearing to read "Michael Crawford".

Michael Crawford
BC Container Trucking Commissioner