

ANNUAL REPORT 2019



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER



Prepared and submitted in accordance with
Section 13 of the *Container Trucking Act*
of the Province of British Columbia.

OFFICE OF THE BRITISH COLUMBIA CONTAINER TRUCKING COMMISSIONER

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August 31, 2019



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER

To the Minister of Transportation and Infrastructure

Vancouver, BC
August 31, 2019

The Honourable Minister Trevena:

**Office of the BC Container Trucking Commissioner Annual Report
For the Fiscal Year Ending March 31, 2019**

I submit to you the Office of the BC Container Trucking Commissioner's Annual Report for the fiscal year ending March 31, 2019. The Annual Report identifies all audit, licencing and engagement activity undertaken by the Commissioner under the *Container Trucking Act* as well as the Office's financial statements for fiscal year 2018/19.

Yours Truly,

Michael Crawford
BC Container Trucking Commissioner

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Message from the Container Trucking Commissioner

Fiscal year 2018/19 was a particularly busy one for the Office of the BC Container Trucking Commissioner (“OBCCTC”). After an extensive recruitment process, the vacant position of Deputy Commissioner was filled, and new auditors and investigators were hired and trained. These added resources have greatly assisted in ensuring the ongoing stability of the sector through enforcement of the *Container Trucking Act*.

This year, 17 audits and investigations were completed, 24 decisions issued all culminating in \$3.25M paid to truckers since 2015. The OBCCTC successfully renewed existing licences in May 2018 and extend the term of each licence by two years. The number of licences decreased at the last licencing period to 84 with 1762 associated Truck Tags issued by the Office.

Direct engagement with drivers continued to be a focus this fiscal. An OBCCTC Newsletter was issued each quarter and was supplemented by a monthly email update sent to all stakeholders including Independent Operators. The OBCCTC fielded over 2460 phone calls with drivers and, when combined with print material and the OBCCTC website, the Office is meeting its goal of increasing driver knowledge about OBCCTC activities and the regulatory regime.

In May of 2018, the OBCCTC announced that it would be reviewing Part 4 (Rates and Remuneration) of the *Container Trucking Regulation*. Submissions were received through September 2018 and during this period, I engaged with over 14 stakeholders and stakeholder representatives prior to submitting the *Container Trucking Regulation – Recommendation Report* in October 2018. In addition, truck tag policy continued to be a focus and following the submission of the rate recommendation report, the OBCCTC issued terms of reference and a draft policy for industry consultation. It is expected that a revised policy will be introduced in 2020.

This year’s audit program resulted in a substantial number of audits and investigations completed culminating in the first licence cancellation penalty issued by the OBCCTC. The cancellation of a Container Trucking Services Licence four years after the introduction of the *Act*, should only be considered progress within the context of the ongoing development of the OBCCTC’s enforcement program. There remains in the industry a level of non-compliance which undermines the purpose of the *Act* and the OBCCTC is committed to practice, procedure and policy development as well as enforcement that assists in advancing the sector towards greater compliance, fairness and stability.

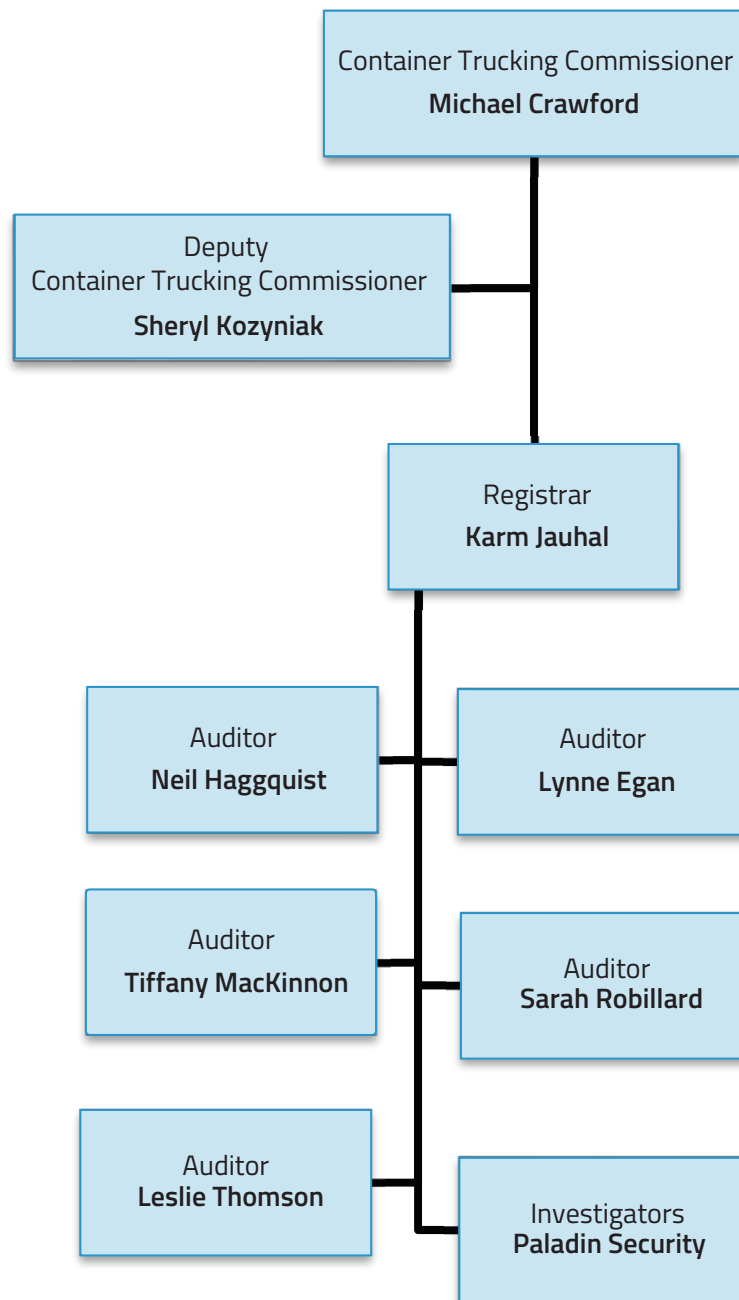
Michael Crawford
BC Container Trucking Commissioner

Table of Organization

As at March 31, 2018



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER



Summary of Activities

During the fiscal year 2018/19, the OBCCTC focused on:

- Ongoing Capital Licencing administration;
- Implementation of an enhanced OBCCTC audit/investigation program;
- *A Container Trucking Regulation* rate review; and
- Engagement with licence holders and drivers.

For the fiscal year 2018/19, the summary of OBCCTC activities is outlined below:

TABLE 1: COMPLIANCE AND ENFORCEMENT ACTIVITY

Drayage Confidence Line Reports Received¹	52
Complaints Other²	23
Audits Commenced	24
Audits Completed	17
Published Decisions	13
Orders	0
Penalties Issued	11
Sum of Penalties Issued	207,500
Licences Cancelled	3
Reconsiderations	4

TABLE 2: INDUSTRY ADVISORY COMMITTEE MEETINGS

April 17, 2018
June 5, 2018
September 18, 2018
March 12, 2019

¹ Complaints received do not always fall within the scope of the Container Trucking Commissioner's jurisdiction

² Remuneration complaints received by phone or written correspondence

Bulletins

NAME	DATE
CTS Licence Renewal Notice	April 30, 2018
Government of BC Rate Announcement	May 4, 2018
CTA Call for Submissions	May 14, 2018
Vacant I/O Truck Tags	May 28, 2018
Rate Increases in Effect	June 1, 2018
CTS Licence Tag Management Policy-I/O List	June 4, 2018
OBCCTC 2018 Licensing and Tag Management Policy Update	June 21, 2018
Container Trucking Regulation Rate Review Consultation Submission Summary Report	August 8, 2018
Dead Runs and Pre-Pulls	October 22, 2018
Tag Management Policy Review with Terms of Reference	November 7, 2018
Tag Management Policy Review Submission Deadline Extended	December 20, 2018
OBCCTC Deputy Commissioner Appointed	January 8, 2019
I/O, Off-Dock Trip Rate When Moving Two Containers	January 31, 2019
CTS Licence Tag Management Policy – I/O List	February 14, 2019
CTS Licence Tag Management Policy – Draft Licence Tag Management Policy Consultation	March 13, 2019
Suspension of Additional Truck Tag Applications	March 14, 2019
CTS Licence Tag Management Policy – I/O List – Request for Applications	March 18, 2019

Outreach

In addition to Industry Advisory Committee meetings, the OBCCTC re-launched its quarterly Newsletter intended to provide industry stakeholders with updated information regarding OBCCTC policy and audit/enforcement activities. In December 2018, the quarterly Newsletter started to be supplemented with a Monthly Update which summarizes the office's activities from the previous month. The update is issued to all interested stakeholders, including drivers, through an email distribution list.

The OBCCTC website serves as the OBCCTC's primary communication portal and updates to the website are ongoing. OBCCTC communications continue to be issued in English and Punjabi as required, with both versions posted on the website: <http://obcctc.ca>

Container Trucking Regulation – Recommendation Report

– October 2018

The **Container Trucking Regulation – Recommendation Report – October 2018** made 12 recommendations relating to rates and their enforcement:

Recommendation 1

Amend the *Regulation* to clearly capture those companies that are currently affiliated with licensees and are hauling containers from point to point within the Lower Mainland but are not paying the regulated off-dock rates.

Recommendation 2

Amend the definition of container in the *Regulation* for clarity and consistency with the definition of container utilized by port terminals and the International Maritime Organization.

Recommendation 3

Consider the introduction of phased increases to the hourly rate for I/Os (inclusive of benefits) to reflect increases in I/O operating costs.

Recommendation 4

Amend the zone definitions in the *Regulation* and review the definitions during subsequent rate reviews.

Recommendation 5

Introduce a \$50.00 short trip rate for off-dock container moves less than 5 km between facilities.

Recommendation 6

Introduce a \$25.00 positioning movement rate to be paid in addition to each on or off-dock trip rate payment.

Recommendation 7

Increase rates for longer distance moves in the on-dock and off-dock rate tables to reflect I/O costs.

Recommendation 8

Review the impact of including the CN and CP intermodal terminals in the regulated on-dock rate table.

Recommendation 9

Introduce a \$50.00 dangerous goods movement rate in the *Regulation* paid per trip in addition to the applicable trip or hourly rate.

Recommendation 10

Amend the fuel surcharge formula to account for an average monthly calculation of diesel prices in Vancouver.

Recommendation 11

The Container Trucking Commissioner conduct a government directed review every two years.

Recommendation 12

Increase the budget of the OBCCTC.

Financial Statement

SUMMARY FINANCIAL STATEMENT	
BC Container Trucking Commissioner	
	(in \$Thousands)
	FY2019
	Actual
Total Revenues	995
Audit and Compliance	564
Licensing Administration	38
Industry Communications	37
Operations	261
Total Expenditures	900
Total Surplus	95



Photo courtesy of OBCCTC



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