



January 22, 2020

Dayal Transport Systems Inc.
12742 King George Blvd.
Surrey, BC V3V 3K5

Email: dayaltransport@gmail.com

Attention: Mr. Vik Dayal

Dear Mr. Dayal

Re: Notice of Order against Dayal Transport Systems Ltd. ("Dayal") to Comply with the *Container Trucking Act* (the "Act") and Container Trucking Services Licence (the "Licence")

In Dayal Transport Systems Inc. (CTC Decision No. 08/2019) it was found that Dayal had not complied with established rates and record-keeping requirements in violation of sections 23 and 25 of the *Container Trucking Act* (the "Act"). Dayal was also found to have violated section 6.17 of its Licence when it transferred truck tags without the Commissioner's approval. In addition to remuneration owed to drivers, Dayal was ordered to pay an administrative penalty of \$20,000.00.

Dayal provided a written argument in response to its proposed penalty and requested an arrangement to pay the penalty in four equal installments. The OBCCTC has allowed for installment payments in limited circumstances where the finding of non-compliance has not been particularly egregious and has not involved circumstances of flagrant rate violation or violations of section 28 of the *Act* or Appendix A and E to Schedule 1 of the Licence. In a reconsideration decision dated October 9, 2019, the Commissioner directed Dayal to pay the first of four monthly installments of \$5000.00 on November 1, 2019.

To date, Dayal has paid installments for the months of November and December 2019. The third installment of \$5000.00 was due on January 2, 2020 and has not been received by this office. The final installment payment of \$5000.00 is due on February 3, 2020.

By this Order, I am directing Dayal to pay the third installment of \$5000.00 **by no later than 4:30 p.m. on Friday January 22, 2020 and the final installment of \$5000.00 by no later than 4:30 p.m. on Monday February 3, 2020.** Failure to comply with this any part of this Order will be viewed as serious non-compliance with the *Act*, and available penalties under the *Act* include suspension or cancellation of Dayal's licence and the imposition of penalties up to \$500,000.00.

This Order will be published on the OBCCTC website as required by Section 11 of the *Act*. This Order does not constitute notice of penalty pursuant to section 34 of the *Act*. However, if there is not compliance with this Order, subsequent notices of penalty will be issued.

Sincerely,

OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER

Sheryl Kozyniak
Deputy Commissioner