



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER



ANNUAL REPORT

2022-2023



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, 2023



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER

To the Minister of Transportation and Infrastructure

Vancouver, BC

August 31, 2023

The Honourable Minister Fleming:

**Office of the BC Container Trucking Commissioner Annual Report
For the Fiscal Year Ending March 31, 2023**

I submit to you the Office of the BC Container Trucking Commissioner's Annual Report for the fiscal year ending March 31, 2023. The Annual Report identifies all audit, licensing and engagement activity undertaken by the Commissioner under the *Container Trucking Act* as well as the office's financial statements for the fiscal year 2022-2023.

Yours Truly,

Glen MacInnes

BC Container Trucking Commissioner

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Message from the Container Trucking Commissioner

In fiscal year 2022-2023, the Office of the BC Container Trucking Commissioner (“OBCCTC”) continued to fulfil its mandate to administer and enforce the *Container Trucking Act* (the “Act”), *Container Trucking Regulation* (the “Regulation”) and Container Trucking Services Licence (the “Licence”).

This year, the OBCCTC completed 10 audits, issued 9 decisions and 1 order all culminating in \$4.2M paid to truckers and issued \$1.3M in penalties since 2015. I was appointed as the new Container Trucking Commissioner, along with Karm Jauhal’s appointment as the Deputy Container Trucking Commissioner in September 2022.

The OBCCTC consulted with the industry stakeholders on CTS Licence amendments by calling for submissions. A truck tag application process was also conducted before the CTS Licences were amended and their term extended. The OBCCTC extended the term of the 2020 CTS Licence by two years for licensees.

During this fiscal year, a third-party consulting firm was retained to conduct a trucking compensation study to inform future rate decisions, following which a Recommendation Report was issued by the OBCCTC asking for submissions and feedback from the industry stakeholders.

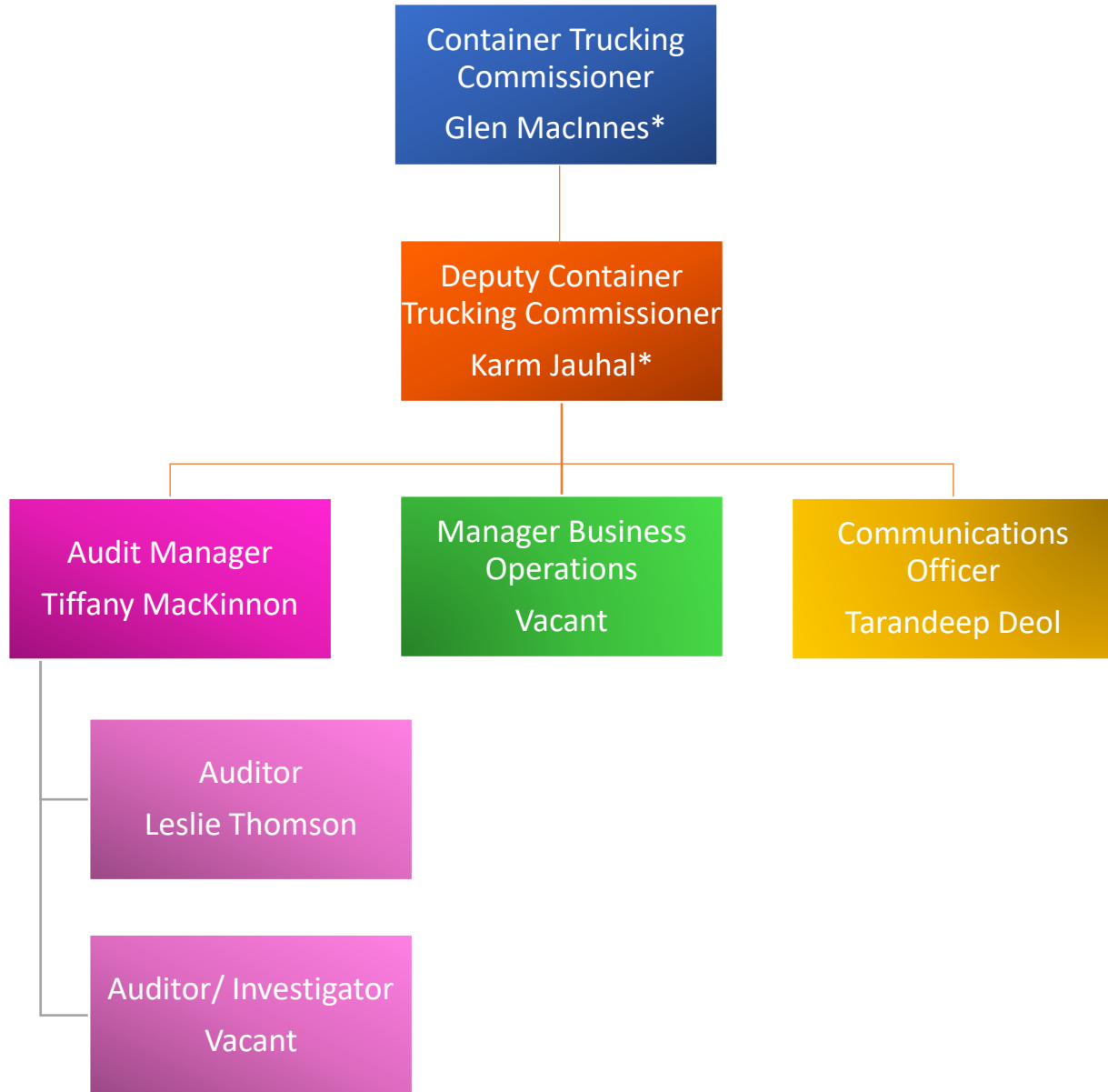
Since my appointment, I am trying to shift the focus to compliance by active enforcement. The OBCCTC joined forces with Commercial Vehicle Safety Enforcement (CVSE) and have been carrying out joint enforcement initiatives. So far, we have done it thrice and have been successful in identifying trucks carrying out untagged off-dock work. OBCCTC has also been working on speeding up the audit process. Since the new electronic requirement for record keeping for the licensees, the OBCCTC’s track record has improved drastically. I also met with the Industry Advisory Committee to take inputs from the committee and share my vision and plan as the Commissioner for the Lower Mainland Drayage sector.

Industry communications with stakeholders is important and efforts continue to be made to improve the OBCCTC’s communication strategies. The OBCCTC’s Facebook page has been an important channel to communicate with industry stakeholders. Quarterly newsletters, monthly updates, monthly fuel surcharge, quarterly wait time payment notifications continue to be published and shared with industry stakeholders and truck drivers as the OBCCTC works to increase stakeholder knowledge of OBCCTC activities and the regulatory regime.

Glen MacInnes
BC Container Trucking Commissioner

Table of Organization

(as of March 31, 2023)



* Appointed as of September 7, 2022

Summary of Activities

During the fiscal year 2022-2023, the OBCCTC focused on:

- 2022 CTS Licence consultation and issuance
- Rate review and rate revision
- Active enforcement initiatives
- Implementation of an enhanced OBCCTC audit process

For the fiscal year 2022-2023, the summary of OBCCTC activities is outlined below:

TABLE 1: COMPLIANCE AND ENFORCEMENT ACTIVITY	
Drayage Confidence Line Reports Received ¹	10
Complaints – Other ²	8
Audits Commenced	8
Audits Completed	12
Published Decisions	9
Orders	1
Penalties Issued	5
Sum of Penalties Issued	83,500.00
Licences Cancelled	1
Reconsiderations	2

TABLE 2: INDUSTRY ADVISORY COMMITTEE MEETINGS	
May 10, 2022	
January 24, 2023	

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
<u>Call for Submissions – CTS Licence Amendments</u>	April 13, 2022
<u>Increase to the I/O and Directly Employed Operator Hourly Rate</u>	April 28, 2022
<u>OBCCTC 2022 Activity Update</u>	May 4, 2022
<u>OBCCTC Deputy Commissioner Update</u>	June 1, 2022
<u>Trucking Compensation Study – Interview Participation</u>	June 8, 2022
<u>Rules of practice and procedure</u>	June 14, 2022
<u>Truck Tags Application Process Update</u>	June 20, 2022
<u>Rate Order Amendment – Hourly Rates</u>	June 30, 2022
<u>CTS Licence Truck Tag Management Policy – Additional Truck Tag Applications Being Accepted</u>	July 4, 2022
<u>CTS Licence Truck Tag Management Policy Additional Truck Tag Applications Process Update</u>	July 20, 2022
<u>CTS Licence Amendments – Consultation Report Published</u>	August 25, 2022
<u>OBCCTC Commissioner and Deputy Commissioner Update</u>	September 7, 2022
<u>CTS Licence Renewal</u>	October 3, 2022
<u>Wait Time Notification – Q1 2022</u>	October 7, 2022
<u>Wait Time Notification – Q2 2022</u>	January 16, 2023
<u>2023 Rate Review – Call for Submissions</u>	February 2, 2023
<u>Wait Time Notification – Q3 2022</u>	March 7, 2023
<u>OBCCTC’s Decisions Now Searchable on CanLII Database</u>	March 14, 2023

Industry Advisories

NAME	DATE
Licence and Truck Tag Requirements	May 18, 2022
CTS Licence Requirements	October 4, 2022

Outreach

Communications for this fiscal year focused on communicating with industry stakeholders regarding the CTS Licence renewal, additional tags issuance, trucking compensation study and rate review recommendations.

The OBCCTC also improved outreach to stakeholders through enhanced online social media presence via the OBCCTC Facebook page. The OBCCTC website serves as the OBCCTC's primary communication portal and updates to the website are ongoing.

Bulletins, industry advisories and quarterly newsletters continue to provide industry stakeholders with updated information regarding OBCCTC policy and audit/enforcement activities. Monthly Updates are released summarizing the office's activities from the previous month. OBCCTC communications are also issued to all interested stakeholders, including drivers, through an email distribution list. OBCCTC also calculates the fuel surcharge each month and posts it on its digital platforms. Quarterly wait time payment information is also disseminated.

OBCCTC communications are issued in English and Punjabi as required, with both versions posted on the website: www.obcctc.ca

2022 CTS Licenses

The OBCCTC determined that it was appropriate to conduct a truck tag application process before the CTS Licences were amended and their term extended. The licensees were given the opportunity to apply for additional company and/or Independent Operator truck tags. The truck tag application process included a focus on tagging trucks performing untagged, off-dock container trucking services.

The OBCCTC then called for submissions and consulted with the industry stakeholders on CTS Licence amendments for the 2022 CTS License issuance. Topics for discussion included licence term extension, off-dock amendments and electronic record keeping. The previous Container Trucking Commissioner also met with stakeholders who represented company drivers, Independent Operators (“I/O”), licensees, unions and shippers. The OBCCTC extended the term of the 2020 CTS Licence by two years.

2023 Rate Review

An independent third party (Cascadia Partners) was engaged to conduct a Trucking Compensation Study to inform future rate decisions. The study included an analysis on the variability in driver compensation in the Lower Mainland, a comparison to drayage compensation and conditions in other port jurisdictions, including Montreal, Seattle, Prince Rupert, and LA/Long Beach; and a comparison of driver compensation for drayage to other heavy-duty trucking roles in BC. Cascadia Partners conducted interviews with stakeholders like drivers, Independent Operators, union representatives, and drayage companies. Insights from interviews were anonymous, aggregated, and not attributed to any specific individual or company.

The Commissioner then published a Rate Review Recommendation Report on February 2, 2023. In the Recommendation Report, the Commissioner made 5 different proposals to rate changes for drivers in the Lower Mainland drayage sector and invited the stakeholders to provide their comments and feedback through written submissions.

Financial Statement

SUMMARY FINANCIAL STATEMENT	
BC Container Trucking Commissioner	
	(in \$Thousands)
	FY2023
	Actual
Total Revenues	1,144
Audit and Compliance	576
Licensing Administration	117
Industry Communications	10
Operations	308
Total Expenditures	1,011
Total Surplus	133



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