

THE DRIVE



FEBRUARY 2024

ISSUE 24

IN THIS EDITION

The Office of the British Columbia Container Trucking Commissioner ("OBCCTC") released proposed changes to the upcoming 2024 Licence, as a part of 2024 Licence Reform. We were seeking submissions on these proposals from industry stakeholders. The OBCCTC will soon begin to hold consultation meetings where stakeholders who made submissions have the opportunity to ask questions and provide feedback. I look forward to seeing some of you there.

We are committed to prioritizing compliance. I noticed some licensees not complying with the requirement of electronically generated record-keeping for the CTS Licence and have issued orders to correct that. It is imperative to the success and timeliness of our audits that licensees meet this requirement.

The OBCCTC introduced its own truck tag ("OBCCTC Tag") in the last quarter of 2023, to provide better visibility and assistance in our enforcement endeavours. We continue to affix them to the existing TLS Tagged Trucks (both company trucks and I/O trucks) in this quarter.

Upholding our commitment to introducing overtime rates for Independent Operators ("I/Os"), I have issued Addendum II to the 2023 Rate Review Consultation Report, inviting submissions to my proposal. The final formulae for calculating overtime for I/Os will be released after reviewing all submissions.

Lastly, we continue to remain steadfast in our efforts to prioritize enforcement by conducting our joint enforcement initiatives with Commercial Vehicle Safety Enforcement team, aimed to ensure compliance with the *Container Trucking Act*.

Sincerely,

Glen MacInnes
Container Trucking Commissioner

LICENSEE & DRIVER RESOURCES

Office of the BC Container
Trucking Commissioner
604-660-6051
obcctc.ca

Confidential Drayage Complaint
Line (Confidence Line)
1-877-713-5109
www.drayage.confidenceline.net

Vancouver Fraser Port Authority
TLS Administrator
604-665-9333

OBCCTC Rate Order
obcctc.ca/rate-order

OBCCTC Decisions
obcctc.ca/decisions

OBCCTC Policies
obcctc.ca/policies

OBCCTC Industry Communications
obcctc.ca/industry-communications

Container Trucking Act
obcctc.ca/act

Container Trucking Regulation
obcctc.ca/regulation

WHAT'S NEW

2024 Licence Reform

OBCCTC released proposed changes to the upcoming 2024 CTS Licence. A bulletin was issued on January 16, 2024, inviting stakeholders to submit their submissions and provide feedback before February 26, 2024, which will be followed by OBCCTC in-person consultation meetings with stakeholders. A final Licence package will be issued following the conclusion of the consultation period.

[Learn more here](#)

Overtime Calculation for Independent Operators

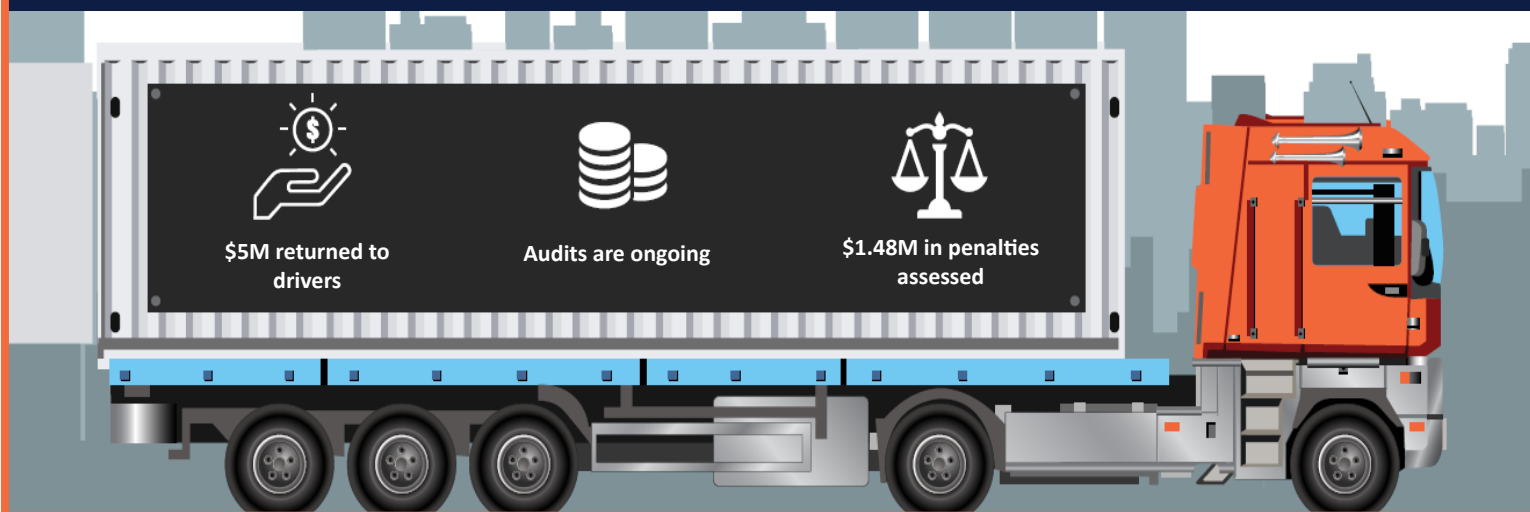
As a part of the 2023 Rate Review, OBCCTC suggested overtime for drivers. Given the complex calculation for overtime for Independent Operators, an Appendix was released to the Consultation report inviting submissions on the calculation proposals. After carefully reviewing the feedback, OBCCTC released the Addendum II to the Consultation Report and invited submissions from stakeholders on the proposals mentioned in Addendum II by February 23, 2024.

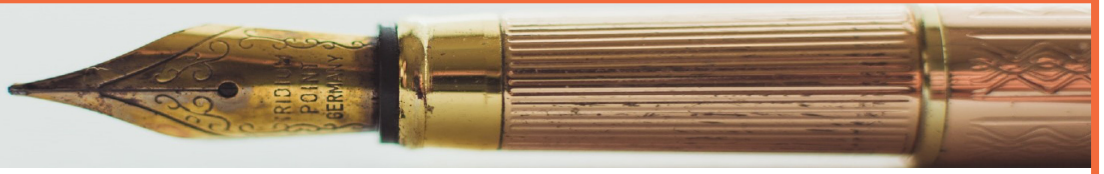
[Read the Addendum here](#)

OBCCTC Tags

OBCCTC is diligently continuing its initiative to install OBCCTC Tags on approved TLS trucks. We are proud to report that majority of the trucks have had the tags installed. As for the remaining, OBCCTC aims to complete the installations in this quarter. released proposed changes to the upcoming 2024 CTS Licence.

OBCCTC COMPLIANCE UPDATE





RECENT DECISIONS

MDW Express Transport Ltd. (CTC Decision No. 02/2024) – Fined \$6,000

It was determined that the company failed to create and maintain electronically generated payroll records in breach of s. 6.10 of the 2022 CTS licence. As a result, MDW was ordered to pay an administrative fine in the amount of \$6,000.00.

Quality Forest Products Ltd. (CTC Decision No. 01/2024) – Fined \$5,000

OBCCTC found that the company was not paying its drivers the money they were owed and was imposed an administrative fine in the amount of \$5,000.00.

Simard Westlink Inc. Supplemental Decision (CTC Decision No. 16/2023), and Simard Westlink Inc. Reconsideration Decision (CTC Decision No. 04/2024)

Following their initial Decision No. 9/2023, Simard Westlink Inc. was issued a Supplemental Decision and later a Reconsideration Decision.

West Coast Freight Ltd. (CTC Decision No. 15/2023) – Fined \$1,500

West Coast freight Ltd. was found to have violated its license by performing container trucking services in the Lower Mainland with untagged trucks and subcontracting out work to unlicensed companies. The company was imposed a \$1,500.00 fine.

[View all OBCCTC Decisions here](#)

JUDICIAL REVIEWS

UTA Truckers Society of British Columbia et al. v. OBCCTC – Supreme Court of BC Decision

UTA Truckers Society of BC (“UTA”) filed a petition in the BC Supreme Court challenging the former Commissioner Michael Crawford’s July 2022 Additional Tag Allocation and the November 2023 Redistribution of Truck Tags Application. The BC Supreme Court dismissed the UTA’s application for a stay.

[View other Judicial Reviews here](#)

Commissioner's Outreach

Since his appointment last year, Commissioner Glen MacInnes has been actively engaging in outreach efforts to connect with various industry stakeholders. We are thrilled to share with you some highlights of Commissioner’s dedication and commitment to building bridges that facilitate the industry to thrive.



DID YOU KNOW?

Electronic Recordkeeping

It is every Licensee's responsibility to maintain electronically generated records and have a system in place for electronic record-keeping. It is a requirement of the CTS Licence. These measures ensure compliance, enhance efficiency, and reduce environmental impact.

[Read the current Licence for details](#)

OBCCTC's ConfidenceLine

If you have any concerns and want to report workplace misconduct, please use the OBCCTC's ConfidenceLine to file a complaint. The ConfidenceLine provides a secure mechanism for you to report any unethical conduct including fraud, bullying, undercutting and harassment. It is important to note that when using the ConfidenceLine your identity is always protected and kept confidential. The service can be availed by calling 1-877-713-5109. The service is available in English and Punjabi 24 hours a day, 7 days a week. Ensure you include all relevant information and details to substantiate your complaint including your contact information. This is important to ensure that the investigator is able to seek further clarification or understanding of the complaint. Your identity is always kept confidential, which means only we know who you are. Once you have submitted a complaint, refrain from resubmitting it multiple times to avoid duplication.

[Click here for more information](#)

Independent Operators and Indirectly Employed Operators

When an Independent Operator is unable to perform container trucking services for the Licensee for more than 90 days, the Sponsorship Agreement is cancelled, and the Independent Operator is placed on the I/O List as an Inactive I/O. Once an Inactive I/O is ready to return to work, they will sign a new Sponsorship Agreement and be considered an Active I/O. Licensees and I/Os are not entitled to use an IEO for replacing an I/O who is no longer performing container trucking services. The onus is on the Licensee to ensure the OBCCTC is informed of any changes to their fleet (I/O's and drivers) within 10 business days of the change, by emailing the Registrar at registrar@obcctc.ca

DON'T FORGET TO FOLLOW US ON FACEBOOK

Join our Facebook Community to be in the know about container trucking industry.

We are constantly posting updates regarding OBCCTC activities and important information for industry stakeholders.

Follow us at [obcctc.ca/facebook](https://www.obcctc.ca/facebook)



OFFICE OF THE
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TRUCKING COMMISSIONER

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